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M I N U T E S

Fifty-third Meeting

CAPE COD NATIONAL SEASHORE ADVISORY COMMISSION

At

Headquarters, Cape Cod National Seashore

South Wellfleet, Massachusetts

January 6, 1967

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AGENDA

CAPE COD NATIONAL SEASHORE ADVISORY COMMISSION

Fifty-third Meeting

January 6, 1967

Item	Subject
1.	Adoption of Agenda
2.	Approval of Minutes of Previous Meeting
3.	Communications Received by the Commission
4.	Progress Report - Cape Cod National Seashore
5.	Report on Exploration of Atlantic Ocean Gas & Oil Reserves
6.	South Wellfleet Beach Area Plan
7.	Proposed Wilderness Area - Monomoy Island
8.	Seashore Educational Material
9.	Agenda Items and Date for Next Meeting
10.	New Business

The fifty-third meeting of the Cape Cod National Seashore Advisory Commission was held on January 6, 1967 at the Administration Building in the Marconi Station area, South Wellfleet, Massachusetts, with the following Commission members present:

MEMBERS:	Recommended by
Joshua A. Nickerson, Chairman	Barnstable County
Leo E. Diehl, Vice Chairman	U.S. Dept. of Interior
Robert A. McNeece, Secretary	Town of Chatham
John W. Carleton	Town of Truro
Ralph Chase	Town of Eastham
Josiah H. Child	Commonwealth of Massachusetts
Arthur Finlay	Town of Orleans
Nathan Malchman	Town of Provincetown
Esther Wiles	Town of Wellfleet

OTHERS: National Park Service, U. S. Department of Interior

Lemuel A. Garrison	Regional Director, Northeast Region
Eugene R. DeSilets	Dev. Plng. & Project Cont., PSC
Stanley C. Joseph	Superintendent, Cape Cod National Seashore
George H. Thompson	Land Acquisition Officer, CCNS
Norton M. Bean	Chief Park Ranger, CCNS
James H. Bowman	Engineer, CCNS
Earl W. Estes, Jr.	Supervisory Park Naturalist, CCNS
Lyndell Baldwin	Secretary, CCNS

ALSO: Hugh F. O'Rourke, Chairman New England Fisheries and Conservation Committee
Henry G. McCarthy, Department of Natural Resources, Mass.

Absent Advisory Commission Member was Mr. Robert L. Yasi, recommended by the Commonwealth of Massachusetts.

A morning field trip was taken to the Wellfleet Job Corps Conservation Center where the Commission had an opportunity to see the Center in operation, and join the Corpsmen at lunch in their dining hall.

The meeting was called to order at 1:30 p.m. by Chairman Nickerson

MR. NICKERSON: We have several guests with us today (introduces guests). I would like to say with the permission of the Commission that you are welcome to stay throughout the meeting if you wish, but if you have other commitments we would be glad to adjust our Agenda to suit your convenience.

Item 1. Adoption of the Agenda

It was moved by Mr. McNeece, seconded by Mr. Chase and VOTED to adopt the Agenda as printed.

Item 2. Approval of Minutes of Previous Meeting

MRS. WILES: On Page 18 in the second paragraph the third sentence should be changed to read: "The Government stated that the towns should provide lodging, food, etc., but if towns cannot take care of this, and particularly because of the zoning, then you will find that the Park will have to do it by concessions."

MR. NICKERSON: On Page 20 the first sentence in the second paragraph should be changed to read: "We have been under a sort of confused situation as to how to ascertain the easterly side of the Island."

MR. CHILD: On Page 27 the last paragraph should be changed to read: "We discussed having various scientists on the committee, such as biologists, ornithologists, anthropologists, botanists, and mammologists."

It was MOVED, seconded and VOTED to accept the Minutes with the

corrections as noted.

Item 3. Communications Received by the Commission

MR. NICKERSON: I have received some communications regarding the Monomoy Wilderness proposal together with a copy of the Act, but I think these better come up under the general heading of that subject.

MRS. WILES: I think our reporting should be a little more accurate.

MR. NICKERSON: We want to reform the newspaper reporters; I couldn't agree with you more.

MRS. WILES: Otherwise we should change our reporter.

Item 4. Progress Report Cape Cod National Seashore

MR. JOSEPH: Although the roads in the area of the project will be perfectly usable throughout the Winter, the remaining work on the Provincetown Roads, Utilities and Shore Protection contract, consists of installation of wheelstops, waterline markers, traffic striping, hardened shoulder construction, slope shaping and a general clean-up of the whole project site.

We have notified the Macon Construction Company of the termination of their contract by default, and their bonding company will assume responsibility for completion of the contract to build bicycle trails in the Provincelands area.

The Head of the Meadow bathhouse and parking area projects are on Stop Order; these contracts are nearly complete, with some plumbing fixtures and waterline and powerline connections to be made. The project is scheduled for use and operation as anticipated next summer.

The redwood plank seating is being installed at the Cape Cod Visitor Center Amphitheatre to complete this project.

The contract for Roads, Bicycle Trails, etc., in Eastham is on Stop Order. The contract is considered to be approximately 10%

complete.

The rehabilitation of the exterior of the Penniman House in Eastham has been completed.

A tentative prospectus for the Highland Golf Course has been prepared. At a special town meeting on December 29 the town of Truro designated a special committee to study the golf course situation from the standpoint of the town. By arrangement with the Chairman of the Board of Selectmen, it is tentatively planned to meet with the Selectmen and the Committee on Tuesday, January 19 at 8:00 p.m. with reference to any questions the town may have.

Comments have been received from the Regional Office regarding the historical data prepared here relative to the Highland House. This information, together with a detailed review on the ground, will form the basis for our recommendations as to the action proposed for the Highland House.

A letter was sent to Mr. Malcolm Currier of North of Highland, Inc., following up the comments at the last meeting. A review of the Suspension of Condemnation certificates for Commercial or Industrial Property indicates that they expire on December 31, 1968. It is suggested that it would be well for this office to communicate with all of these commercial establishments if the Advisory Commission agrees that it is desirable to initiate a study of these operations at this time.

The Advisory Commission's recommendation as outlined on Page 25 of

the last meeting of the Commission (No. 52, held on Dec. 2, 1965) regarding Great Island is under consideration in the Regional Office. Our reaction, and information that has been received from all sources, has been transmitted for review in arriving at a decision. In response to correspondence from the Eastham Selectmen the matter of land acquisition and planning for future proposed facilities has been discussed with them, and additional discussions are planned. Winds and tides during early December caused a remarkable build-up of ocean beach levels, including Coast Guard beach. However, the storm of December 29 removed most of this material. Very little of the revetment placed at Coast Guard beach in November was affected by this storm.

Three surplus buildings have been advertised for sale by sealed bidding; these are the Fishnet Cottage and Garage at Coast Guard beach; and the building formerly used as a fire station at Camp Wellfleet. Bids will be opened January 24. The buildings will be shown to prospective bidders at 9 a.m. on January 11 and January 18.

Supervisory Park Naturalist Earl W. Estes, Jr., has been selected to fill the position of Regional Naturalist at the Northeast Regional Office commencing February 1. A list of eligibles to fill his position here has been requested.

"Gene" Hale, who has been Deputy Director of Education at the Wellfleet Job Corps Center since its opening has resigned and will be leaving almost immediately to pursue independent study leading

toward his Doctorate; he has accepted a position as branch executive for a new office of the Fugazy Travel Agency to be established in Boston.

MR. THOMPSON: During the past month seventeen (17) options were negotiated covering one hundred and twenty-five acres. A total of six hundred and fifty-four (654) options, covering eight thousand one hundred and fifty-two acres, have now been accepted.

Twenty-four (24) closings, whereby title to two hundred and nine (209) acres passed to the United States, were accomplished the past month. To date a total of four hundred and seventy (470) closings have given the Government title to six thousand one hundred and sixty-two (6,162) acres.

During the same period five (5) appraisals were assigned and nineteen (19) appraisal reports were completed.

Requests for final title opinions on eight (8) properties were submitted.

A condemnation assembly covering a 7-acre tract in Eastham was forwarded to the Washington Service Center. The tract is needed for development purposes in accordance with the Master Plan, and agreement with the owners as to price could not be reached by negotiations.

Submitted to the Washington Service Center, Lands, was an up-to-date estimate of costs to acquire the remaining lands within the authorized boundary, together with related information. The data is for use in

drafting legislation which would raise the statutory ceiling on appropriations.

MR. NICKERSON: I think you should start early on the Suspension of Condemnation certificates.

MR. JOSEPH: We will plan writing to all of them for information for the next meeting or two.

MR. CHILD: VanArsdale has asked for a permit to rent bicycles at the Provincetown Airport. Someone has to make a decision. I think we should discuss this.

MR. MALCHMAN: According to the Chairman of the Provincetown Airport Commission, the Commission is seeking the permit for a bicycle rental operation to be run by VanArsdale. I think the important thing is that they take the position that under the terms of their lease they could run the business anyway; but are only seeking the permit as a matter of courtesy.

MR. JOSEPH: I know the Chairman of the Airport Commission feels that way; and I mentioned to him the role of the Advisory Commission in matters of this type.

MR. NICKERSON: What are the conditions of the permit?

MR. MALCHMAN: The original agreement was between the town and the state, then with the transfer of the Province Lands it became an agreement between the town and the National Park Service; since the land transfer there has been an extension of the time the permit will run.

MR. JOSEPH: There was a Special Use Permit issued to the town of Provincetown who used the Airport Commission as their supervising body.

MR. NICKERSON: It seems we should have more information before we make any decision.

MR. JOSEPH: I can get that and present it to the Advisory Commission. The Provincetown building inspector also wants to know what authority there is to consider in this case and others which would be similar. However, I have no application for permission to conduct this business, beyond the telephone call of the Chairman of the Airport Commission.

MR. NICKERSON: He is in a completely independent location or situation. If someone owned land in his own right the question would be clear cut; but this is not clear cut.

MR. MALCHMAN: The building inspector says that this puts him in a bad position. If they are going to be permitted to rent bicycles at the airport, why can't bicycles be rented at other locations within the Seashore.

MR. JOSEPH: I attempted to explain to him the policy regarding establishment of new business facilities within the Seashore. My position with regard to the airport has been that this is an existing facility in connection with which he has rented automobiles.

MR. MALCHMAN: The position of the Chairman of the Airport Commission is that the bicycles would be for the convenience of the people who

fly in in private planes; there are a great many of them, and a bicycle would be a great way to get to the beach. He said that this service was not intended so much for those who drove in in motor vehicles as for those who fly in.

MR. CHILD: They do rent automobiles at the airport and this is not spelled out in the permit.

MR. NICKERSON: Let's put it on the Agenda and get more information.

MR. JOSEPH: I should get in touch with Mr. McKellar, the Chairman of the Airport Commission, and ask him if he wants to make a formal request.

Item 5. Report on Exploration of Atlantic Ocean Gas and Oil Reserves.

MR. NICKERSON: We are particularly interested in this subject insofar as it affects the National Park Service.

MR. MCNEECE: I do have the Chairman of the Committee which was formed to protect fishing and conservation interests, Mr. O'Rourke. He was invited to explain the problem and what has been done thus far and possibly to enlist the support of this Commission.

MR. NICKERSON: Mr. O'Rourke will you give your full name and title for the record?

MR. O'ROURKE: I am Hugh F. O'Rourke, Chairman of the New England Fisheries and Conservation Committee. Are you interested in having me explain the history of this thing?

MR. NICKERSON: We are concerned primarily with the relations which might develop insofar as it might affect the Cape Cod National Seashore.

MR. O'ROURKE: I might say in the beginning that this "volume" wasn't in existence back in the middle of October; but since then I have compiled a lot of information, thanks to Bob McNeece's placing me in this position; I have also added quite a lot of work to my ordinary schedule, due to his efforts of policing Cape Cod shores. I thought as a matter of interest I should first explain the purpose, and then site the various meetings and what has happened:

1. PURPOSE:

To prevent exploitation of historical fishing grounds off the Massachusetts Coast, including Georges Banks area, by interests seeking oil, gas or mineral deposits. To conserve the natural beauty of the Massachusetts shoreline and to prevent any encroachments upon the prolific fishing grounds off the Massachusetts shore.

2. MEETINGS HELD

September 15 -- Woods Hole

September 22 -- Woods Hole

November 3 -- John F. Kennedy Building, Boston

These meetings were attended by representatives of Government, Fishing Industry, and Company involved in seismic operations.

At the second meeting, September 22, an Industry Committee was formed with Robert McNeece, Chatham, Acting Chairman. Members of the Committee are: Hugh F. O'Rourke, Thomas A. Norris, Robert A. McNeece, Octavio A. Modesto, James Ackert, Peter MacLean, Ronald Green, Jacob Dykstra, and Samuel Favazza. This original group was extended to include as advisory members John Worthington and Frank Bachoff. The Industry Committee held meetings November 16, 1966, November 30, 1966 and December 15, 1966. At the November 30, 1966 meeting permanent officers were selected. Hugh F. O'Rourke, Chairman; Thomas A. Norris, Vice-Chairman; Robert A. McNeece, Secretary; Octavio A. Modesto, Treasurer.

3. Corresponded with the following states: Alaska, California,

Florida, Louisiana, Oregon and Washington. Reports received from all except Washington.

Summary: All states enforce stringent regulations relating to seismic operations and drilling. Each state advises that they constantly have to revise their regulations to protect their fish and animal interests. Correspondence has also been received from Fisherman Union representatives from the West Coast who emphatically declare that extensive seismic operations or explorations ruin the fishing grounds. Secretary Udall, corresponding with Congressman O'Neill, advises that he is deeply concerned with maintaining the schools of fish in the New England area and cannot foresee any oil leases granted for a number of years.

4. K. S. FOUNDATION:

Held meeting with Committee Representatives explaining their interest in setting aside 100 miles off the Massachusetts shore as an exclusive Massachusetts right . A Bill has been submitted to the 1967 Legislature/through the Massachusetts Secretary of State's office to resolve and determine whether the State of Massachusetts can claim this 100 mile area under colonial rights. If this Act is resolved in favor of the State of Massachusetts, then a second Bill offered by the Secretary of State's office will suggest a Commission be established to set up rules and regulations concerning seismic operations in that area. It is also expected that any rights established by the State of Massachusetts will be opposed by various

Government Agencies, Bureau of Commercial Fisheries, United States Navy and United States Coast Guard, because of international law. The New England Fisheries & Conservation Committee has submitted legislation to protect their rights and are planning an all-out fight to prevent seismic operations off Massachusetts shores.

That in general is the situation up to date. Secretary Udall sent Congressman O'Neill an all-inclusive letter as follows:

"December 20, 1966

Dear Mr. O'Neill:

A further response to your letter of December 2 concerning the adverse effect on the aquatic life and the beauty of the seacoast, purportedly caused by oil industry activities in the Cape Cod area of the Outer Continental Shelf, was promised by my letter of December 6.

No detonation of explosives or drilling for oil or gas off the coast of Chatham is underway at the present time under Federal authorization. Some seismic work using explosives was conducted on the Georges Bank last Summer, but such work has long since been terminated. No drilling under Federal authorization has taken place or can take place in the absence of oil and gas leases, and the issuance of leases appears to be several years in the future.

As you know, we are dedicated to the principle that your beautiful seacoast and your great schools of fish must be preserved. However, the experience of this Department and of certain States in marine exploration and production off other areas of the United States has proved conclusively that, if the oil operations are properly controlled, the oil and fishing industries can coexist in reasonable harmony without undue damage to aquatic life and the natural beauty can be preserved. This has been amply demonstrated off the West Coast and in the Gulf of Mexico and we will insist that the same high operational standards be applied in the Atlantic.

To insure that the views of the fishing interests will not be overlooked, a formal committee composed of representatives of the New England fishing industry and State officials has been formed to meet with the Bureau of Commercial Fisheries and to study the best

means by which the interests of the fishing industry may be protected. It is anticipated that the findings of the committee and the views of the Bureau of Commerical Fisheries will be made available to the Geological Survey since that agency has the direct responsibility for oil industry operations on the Outer Continental Shelf. The committee held its first meeting on November 3, met again on November 30, and plans further meetings. We are optimistic that this approach will be helpful in minimizing industry conflicts.

Sincerely yours,

s/Stewart L. Udall
Secretary of the Interior"

I might also state that Congressman Keith has been interested in this as well as others; no direct contact has been made with United States Senators as yet. The problem the fishing industry is concerned with is the fish kill if they get to drilling wells and despoiling the area; there is also the danger of the wells catching fire. There is a large amount of money being spent on this project by the oil companies; they spent five million to cap two wells in the Grand Banks and expect to spend ~~expect to spend~~ as much next year. The people conducting the shots off Chatham state that the Georges Banks area looks promising. We want to create the posture that the fishing industry is third in volume and value in the state. Developments along the lines of these explorations will affect our industry and change the livelihood and living habits of many people along the coast. Next week we hope to meet with the Governor and explain our situation. We will submit legislation and trust that the legislators will agree with us. The oil projects people can tell the state

legislators that they may bring in enough money from the oil to eliminate the sales tax, and this might be attractive to the legislators.

MR. MCNEECE: Your remarks are pretty much confined to the fishing industry; we are of course interested in the fishing industry, but primarily with the natural features of the seacoast existing within the Cape Cod National Seashore. It has been the history in some areas of the country that there have been oil leaks and the beaches have been contaminated. That is something that would be of direct concern to the Cape Cod National Seashore. Do you have information regarding shores and beaches? These are more directly concerned with this Commission.

MR. O'ROURKE: We have volumes of information on that. In Alaska crude oil and refuse from the oil rig platforms caused beach pollution. Also at a particular beach in Oregon one rig got loose and washed up on the shore. The beach sand was turned from white to a yellow-orange and this has never come back to its natural color. One problem is that the rigs can tip over and catch fire. They say that is a most unusual thing; but I have a pamphlet from an insurance company showing how much money was paid out in oil rig fires and it is a tremendous amount.

MR. NICKERSON: We are all familiar with the pollution taking place on the beaches from tanker bilges. There are rules against it, but occasionally it happens. I can recall when the Chatham beaches

have been covered with oil. The same thing is true in the Florida Keys. To what extent would the presence of oil wells create such a situation here?

MR. O'ROURKE: I am not much of an authority to answer, except to say that what has happened on the Gulf could happen here.

(MR. MALCHMAN JOINED THE MEETING AT 2 p.m.)

K-S says the glacial age dumped soil in such a way that off Cape Cod there is a canyon. Georges Banks came into being here and whatever oil or gas deposit they are looking for would be out on the southeast corner of Georges Bank. Meetings will be held to determine whether or not tests can be conducted to detect these deposits without causing havoc for the fishermen or having an adverse effect on the shore. There have been conditions under which rigs close to shore in California, Louisiana and Florida have raised havoc along the shorelines there.

MR. NICKERSON: Aren't we concerned as a Commission with the effect on the land rather than on the fish? We are of course interested in the fishing industry also.

MR. CHILD: I think we should be interested in fishing. In Provincetown the Seashore boundary comes into the harbor. Provincetown is the sixth largest fishing fleet in New England. Nate (Malchman) and I are both on the Economic Development Committee. I hope that the fishermen in Provincetown will be made aware of this, and one could be on your Committee.

MR. MALCHMAN: I regret being late. I am sorry I missed what has been said so far. Did Mr. O'Rourke say there would be residue on the beaches?

MR. MCNEECE: Not in so many words.

MR. NICKERSON: It seems that is what concerns us primarily, as far as the Seashore is concerned.

MRS. WILES: Didn't he say there could be?

MR. MCNEECE: Now, wearing my Seashore hat, I would deduce from what has been said, that based upon the experience in other parts of the country, where there have been developments, there has been some effect on the beaches. I think that is what concerns this Commission primarily. Where we have the opportunity to act before these operations take place we should make sure that any development should not be permitted which is going to have a damaging effect on the beaches, which are regarded as the most important asset we have here. We have gleaned that this can happen; that it has happened; so it would seem we would want to be concerning ourselves with taking a position that certainly the Cape Cod National Seashore beaches should not be endangered by possible contamination; and over and above that, there is the psychological effect of having an oil industry develop off this coast. It seems to me that the Cape Cod National Seashore and Cape Cod itself would suffer if we had an oil industry operating off here. We will have lost something which is now pure and wholesome and have sort of sacrifieced it to industry.

I don't think Cape Cod would have quite the same image with oil rigs off here that it had before. This is my personal reaction; I don't know whether others would feel that way or not. But to come back to the original thought of what should concern us as an Advisory Commission, and that is any possibility of direct damage that might occur to the shores from oil wells or anything having to do with the discussion of oil.

MR. NICKERSON: What would you suggest that we recommend to the Park Service - that they recognize the possibility of contamination to the Cape Cod National Seashore as a result of such action, and if there appears to be such a possibility to oppose it?

MR. MCNEECE: I would think if we were to express the opinion that having learned of the possible damage to our beaches and shoreline and also the aquatic life within the waters along that shore (because we do have sports fisheries which are an important part of the National Seashore's existence); having learned of the possible damage to these assets the Advisory Commission is concerned to the point that it feels that appropriate attention be paid to this matter and that the National Park Service be alerted to this fact so that it can act in any way that seems desirable to protect the assets of the Cape Cod National Seashore.

MRS. WILES: Don't you think it would be better if we came out and opposed any oil development, because once you leave a loophole they will take advantage of it. I think it would be better if we came

out and said we don't think it is to the best interest of the Cape fishing industry that this be allowed off our shores. I think we should come right out and oppose it. It probably won't do much good but I feel we should take more positive action.

MR. MCNEECE: I would be very happy to have this Commission say: "Not by a damn site."

MRS. WILES: Alright, let's say it. I don't think we are positive enough.

MR. NICKERSON: We have no authority to tell anyone what to do.

MR. DIEHL: We could call this to the attention of the Park Service and ask them to take appropriate action; this would indicate our feeling.

MRS. WILES: I don't think it is strong enough.

MR. MALCHMAN: I think the hazard, or what seems to be a hazard, is so important that the Commission should alert the Department of Interior so that they may be well advised to seek legislation to suspend pending oil exploration off any National Seashore.

MR. NICKERSON: I was thinking in the same terms.

MR. FINLAY: I think we exaggerate the weight we carry, because there are big interests involved on both sides. I go along with Bob's (McNeece) suggestion of being alert to the situation. I think there are big issues involved here. I think if we alert the Department of Interior of the facts, (and no doubt they are aware), I think we have done our best.

MRS. WILES: If they do have these rigs out there the chances are you are not only going to lose the fishing industry but you will lose the tourist industry as well.

MR. MCCARTHY: May I suggest to Mr. McNeece that the Commonwealth of Massachusetts be advised likewise. It is my understanding that there is a possibility of exploring for gas and oil deposits other than by seismic detonations, and it is not beyond the realm of imagination that you could have a yacht anchored off shore two miles engaging in exploring for ocean deposits and not using seismic detonation processes.

MR. MCNEECE: I think the thing that concerns this Commission as such, is not so much seismic studies or similar studies, but the end result. If they find oil and it is spilled on the water and pollutes our beaches.

MR. FINLAY: With emphasis on the potential of gas rather than oil; if this creates a so-called smog situation, then you put this area right out of the picture if this gas odor floats in. I don't say that this will be the situation; but it is a potential. Another thought strikes me with reference to an industry of that type; you are dealing with an unknown as to where it will be within or without the three mile limit. Once they start they have a large investment and they will want to recover as much of it as possible. If they are not here you have no worry.

MR. MCNEECE: Could this resolution be strengthened in any way which

would indicate not our outright objection, but the next thing to it, because we are still operating in an unknown area to some degree. I don't think we are in a position to feel very sure we are going to have contamination of our beaches. We don't have actual pictures of what has actually happened elsewhere, but that as it is worded isn't strong enough; say, to the effect that if there is the possibility of pollution of our waters and contamination of our beaches by oil development, then it would be for the best interest of the Cape Cod National Seashore if such development were not permitted.

MR. NICKERSON: How about, it has come to our attention that there is a possibility of oil and gas development off the coast of Cape Cod and we recommend to the National Park Service that they take appropriate measures to determine whether in the event of such development it would result in damage to beaches and aquatic life along the shore, and if such appears to be the case, we recommend opposition to such development?

MR. CHILD: I think the fishing industry is a distinct part of the charm of the Cape. Visitors enjoy seeing these boats going in and out. We need this industry.

MR. CARLETON: I am an old oil man so I am a little opposed to all this. I agree to the motion as you have worded it, but if some group of oil concerns came in and said they want to drill and would pay the Commonwealth 150 million dollars over the next ten years they would be granted permission. That is as much as we get from the sales tax

now.

MR. DIEHL: But not as much as you get from the tourist economy.

MR. MCCARTHY: I have had occasion to talk with an entrepreneur on this sort of business, and he has assured me that you could install an oil rig, find oil, and run it, as anticeptically as a hospital operating room. Would you comment on that?

MR. CARLESTON: I am not qualified to comment, but I believe that this is a true statement.

It was MOVED by Mr. Child, seconded by Mr. Finlay and UNANIMOUSLY VOTED that the Commission advise the National Park Service that it has come to our attention that there is a possibility of oil and gas development off the coast of Cape Cod and we recommend to the Park Service that they take appropriate measures to determine whether in the event of such development it would result in damage to aquatic life, contamination of the beaches or damage to our coastal fisheries and in the event of this possibility the Park Service oppose such development.

MR. MALCHMAN: I wonder if it would be wise to inquire of the Park Service if they do have information on this subject; and if they would be willing to relate it to us. Maybe it is as has been said that this is an antiseptic operation.

MR. CARLETON: The Department of the Interior has plenty of material on it.

MR. GARRISON: That is right, but I am not prepared to comment.

MR. JOSEPH: I can comment because I had to find a way to remove oil at Port Jefferson. It came about because someone decided to lighten a rig to keep it off the reef. I think just for broad comment this could be an antiseptic operation. The objection of course is to the extent they are operated this way. At best like everything else things are not always operated as intended. I had a whole winter's work getting that oil off the reef because somebody didn't follow the rules. As Superintendent here, following your advice, I would emphasize carefully and consider all possibilities covering actions that could happen. Most industries intend to be clean, but something sometimes happens, and this is the thing you have to be aware of.

MR. GARRISON: This has been a very interesting and constructive discussion. I would like to ask two questions: do you know whether this oil will come under pressure so that you will have to cap it to hold it?

MR. O'ROURKE: The K-S foundation says it is all done under pressure. I believe one company would construct wells so that the piers on which the well sits would be their reservoir for the oil supply. In transporting the product from well to barges it would be kept within the rigs. One suggestion was made that instead of having several rigs they put legs out from one and draw through that for a mile or so in order that one rig would take care of what three or four might ordinarily do. The fishermen say that once they find

wells in their way they might have to go as far as fifty miles around them. Even though the oil companies would be helpful and try to avoid interference the rigs would not be manned in a storm when trouble would be liable to start because at these times they would take the crews ashore for the sake of safety.

MR. GARRISON: What on-shore facilities do they need - apparently none.

MR. O'ROURKE: None except to transport. They have developed a bag affair in which to place gas and tow it in to shore. It had been suggested that pipe be laid on the ocean floor but this would be too costly. I am only speaking on the basis of having talked with one company. I do not know what others would do.

MR. GARRISON: I think there is a real possibility of violation of aesthetic values.

MR. NICKERSON: They would do well to recall the experience of the Texas Towers in severe storms. They didn't stand up too well.

Item 6. South Wellfleet Beach Area Plan

MR. JOSEPH: We have been fortunate in getting Mr. DeSilets back from Philadelphia. He appeared here previously with a plan, and now he has another plan of a preliminary nature which he would like to show us. I should say, that if this plan is concurred in, in due course it would form the basis for a proposed Master Plan change which would have to be approved by the Director; and would require a program change in construction funds including transfer of funds from other projects.

(In presenting the following, Mr. DeSilets utilized a preliminary plan, together with an alternate; these were mounted upon the wall of the conference room and referred to during the discussion.)

MR. DESILETS: As Mr. Foster said the last time I was here - I am in the electric chair---again. You remember in September when I came with the first study we planned on re-doing the present Ocean View Drive starting in Eastham. This new plan makes available the Eastham bog nature area, the Fresh Brook (South Wellfleet) nature area with a new road approximately 3/4 mile from the ocean front. This plan includes a 650 car parking area and a campground use study which could be done with 200 sites, 1500 to 2000 feet back from the shore. This item has not been decided upon. There could be a good site here or we could go back further west. This plan permits a good picnic area near the beach with a good in and out checking station. We feel this is as good as we can come up with;

it is a study which I think has certain improvements over the other one. It does leave the Range Road alone; we plan to abandon this eventually, and this leaves Mr. Nickerson his Thoreau experience. This entire project will be a very expensive job. The total cost of the road from the intersection with Doane Road in Eastham to the intersection near Seashore headquarters in South Wellfleet is $945,100 including two parking areas, one at the Eastham bog area and one at the Fresh Brook (South Wellfleet) area.

MRS. WILES: Who owns the Old Kings Highway?

MR. THOMPSON: We haven't contacted the state on any transfer.

MR. DESILETS: Do you anticipate any problem.

MR. JOSEPH: I think both the town and state would be willing to work with us; and if it couldn't be worked out, certainly alternates could be worked out.

MR. DESILETS: (Continues) The cost of the beach development, buildings, parking etc., $739,760.

MR. JOSEPH: The only possibility of a program change within our knowledge of available construction funds in the 1967 fiscal year is in respect to roads and trails. Funds for any item in building and utilities in this plan as part of the $739,000+ are not available this fiscal year and will only be available July 1, 1968 if they are contained in the budget. This is the earliest it could come; and if it is not in the 1968 budget, 1969 would be the earliest it could come. We have known right along that the

possible available funds pertain only to the roads and trails portion of the beach.

(Mr. DeSilets continues, breaking down the costs of the picnic area development of one hundred and fifty sites, with road; three comfort stations, parking, utilities, site planting as needed for healing scars etc., public use areas.

MR. DESILETS: We don't know the future plans exactly; but we have come up with a total of $1,350,000 for the entire project, depending somewhat on what you want to do with the bicycle, bridle and hiking trails.

(Mr. DeSilets explained briefly the alternate plan.)

MR. NICKERSON: If you are going to abandon the Range Road, and are going to do this project with suitable buildings; keeping the Thoreau concept; the exact location of the beach wouldn't make a difference; you are going to leave a pocket for the Thoreau concept, if you push the beach a quarter of a mile South.

MR. DESILETS: I think you are concerned with getting into this beach development fast. If this is the ultimate need, we could retain the Range Road and build the parking bands, each of which costs $52,000. You could get a road and some parking.

MR. NICKERSON: Since the bathing beach is going to be used only in the summer a gravel road would be acceptable for temporary connections.

MR. CHILD: I hope between the parking bands you will put some planting and not build this the way you did the last time. That is a pretty

dreary parking space.

MR. DESILETS: You are talking now to a guy who believes parking should be screened with planting. I would like to see that there is a lot of it.

MR. NICKERSON: How much is the parking lot elevated above the bathing beach area?

MR. DESILETS: About 30 to 40 feet, there is a gradual slope down to the beach.

MR. DIEHL: How many cars can be parked at Coast Guard Beach.

MR. BOWMAN: 325+.

(Mr. DeSilets reviewed the plan from Coast Guard Beach to the proposed South Wellfleet Beach, pointing out the Eastham Bog area, the Fresh Brook nature and picnic area, etc.)

MR. NICKERSON: It seems to me you are approaching this quite clearly on the assumption that the Park Service will have to provide public camp sites; they should be located in a manner not to encroach on the edge of the sea and should be inconspicuous. They have the look of a temporary slum. They are not attractive to see from a distance.

MR. DESILETS: I remember that my first impression on seeing the Cape Point camping area at Cape Hatteras where the land is flat, was that the Philistines had arrived.

MR. NICKERSON: If you permit camping it is going to create an increasing problem on the beaches, and you will destroy their aesthetic value.

MR. DESILETS: The Park Service is starting a research project on this camping question throughout the entire Service, to find what our facilities are and what they should be.

MR. NICKERSON: Those in mobile camper homes and beach buggies are beginning to assume they have a right to be on the beach and to sleep there if they wish.

MR. DESILETS: There are great camping groups in this country who are going in caravans, moving en masse.

MRS. WILES: What are you planning to do for this summer?

MR. DESILETS: I would like to get some advice on that.

MR. MCNEECE: That was my question; do we have money enough to do the vital part of the parking area?

MR. DESILETS: We have enough for only two 50 car parking areas.

MR. JOSEPH: We have more. Jim (Bowman) will speak more precisely than I. Again we must speak in terms of roads and trails because all we have is roads and trails money; that is all that the Regional Office can come up with. There is no money for buildings and utilities. The figures that we used when we tried to talk about funds were construction funds. I assume Jim's figures are programmed funds.

MR. BOWMAN: Essentially I believe that with the elimination of those projects we talked about in the Wellfleet area including Newcomb Hollow; in Truro the Long Nook Road, Cape Cod Light and Highland parking areas, etc., and money from previous years for the two 50 car parking lots - quickly adding I see about three hundred

and fifty to sixty odd thousand dollars. We have enough to get going on a piece of that; temporary connections and two bands of parking. We have no money for beach facilities; we could work the stairways and walks in; we have nothing for toilet facilities. As construction goes forward there is room in 1968 to pick up the building after July 1 and we can continue on, on the building as money comes.

MR. NICKERSON: In the Summer of 1967 for the first time the Head of the Meadow will be open. For the Summer of 1968 could a bathing facility be opened at this point if you do what you are proposing?

MR. DESILETS: That is what we are aiming for.

MR. JOSEPH: Contingent on enough building and utilities money beginning July 1, 1968 there would be more facilities.

MR. NICKERSON: The summer of 1967 will demonstrate if the Coast Guard beach is relieved. My guess is that Head of the Meadow beach opening will help some, but not much. There may also be developments of a town beach in Eastham in time for 1967.

MR. MCCARTHY: Is there a certain amount of work in the picnic site area which could be done by Job Corpsmen?

MR. DESILETS: Building steps and clearing and grubbing? There is planting and site preparation. If this proposed plan is approved we will go into a more detailed study. If you are interested and think that we have done this in the right way it will be submitted through channels for a Master Plan change.

MR. CHILD: I like the new layout and the location of the beach house, parking and picnic areas; but do we have to have that great road coming through? I can't see it; why not leave this a wilderness area and just have a bicycle trail and a horse trail?

MR. NICKERSON: I would like to attempt to answer. Somehow you have to relieve Route 6 traffic. This is going to be a slow road with a thirty to thirty-five mile per hour speed limit.

MR. CHILD: If it does exist I hope you will plan for lay-bys or whatever you call them here. There are interesting things to stop and see and do as the tourist takes the trip. The difficulty at Herring Cove now is that there is no place to do that.

MR. DESILETS: We worked for many years on the Natchez Trace. One of the chief problems was providing enough pull-offs. I call that putting the fruit in the fruitcake. It is not worth much unless it has something like this. We think the public deserves to have something to do. I don't see why as time goes on many things can't be put there.

MR. NICKERSON: This is a very important point you have made; what seems to us routine is of intense interest to the person who has never seen it.

MR. DESILETS: At Everglades, where we did a thirty-five mile road to Flamingo there were miles and miles where at first you appeared to do nothing; but as soon as the naturalists explained to me what we were seeing, we discovered there was a lot to see and we

developed a real trail where you drive a little while and get out and do this or that. This has become increasingly popular as time goes on.

MR. NICKERSON: Will the power line be underground?

MR. DESILETS: I think so, wherever possible. We strive for it; we are heading for underground power installations where we can.

MR. NICKERSON: What has the Commission to say?

MR. MCNEECE: I think we should approve the entire layout and urge that as much of that beach area be developed as possible with funds available so that there will be a beach facility there in operation by the summer of 1968. Not later than 1968, and I so move.

MR. CARLETON: I second the Motion.

MR. NICKERSON: What is the distance between this beach and the Marconi Station site?

MR. DESILETS: One and one-half miles.

MR. NICKERSON: Under this plan there will be no other installation between these two points? It will be untouched except for walking on top of the cliff?

MRS. WILES: Wasn't that Range Road put in recently?

MR. DESILETS: It was built by the Army and Air Force.

MRS. WILES: We re-did it, didn't we?

MR. BOWMAN: We resurfaced the piece toward the Marconi Station site interpretive shelter.

MRS. WILES: What did you mean by beach facilities? Buildings, etc.

MR. JOSEPH: This is a delicate question to answer if you look at it in terms of approval of a Master Plan change, transfer of funds, etc.

MR. MCNEECE: I can appreciate your aversion to large parking areas, but I would think in view of the experience you have had with congestion that you will need space for 650.

MR. DESILETS: My proposal in the next stage of design is to break this area up a little bit more with planting. I am very much opposed to the type of parking which is just a sea of cars. This is ugly. The MOTION was favorably VOTED.

MR. MALCHMAN: I was wondering, in the experience of the Seashore, how do the visitors find their way to these beaches, do they follow signs, word of mouth, talks given when stopping for information?

MR. JOSEPH: Many ask for pamphlets before they come; some stop at the Visitor Center; some find signs along the road pointing to various beaches. So far as signing is concerned, a lot more dovetailing of information with regard to public and private beaches would be most helpful.

MR. MALCHMAN: Should they be left to their own devices to get them to the Head of the Meadow?

MR. JOSEPH: I think the Ranger and Interpretive personnel will get the message across to them. As to whether or not we should have extensive signs; lets say between the Orleans Rotary and the Visitor Center, showing the lay-out of beaches would be a real question. I

brought this up because when you get too many signs it tends to have a billboard effect. We rely heavily on Visitor Center and information centers.

MR. MCCARTHY: You have the use of the radio; you have no problem of overloading.

MR. JOSEPH: This is now a national practice. When the Coast Guard beach is overloading, information is given a central point through the Park radio system.

Item 7. Proposed Wilderness Area - Monomoy Island

MR. NICKERSON: I asked to have this put on the Agenda thinking the Commission would like to take a position. The hearings will be held next week in Chatham. I think Mr. McNeece is more familiar with this than anybody.

MR. MCNEECE: Speaking with a representative of the Bureau of Sport Fisheries and Wildlife I learned that the status of the Island will change only slightly; it will no longer be a wildlife refuge as such but the same limitation regulating vehicles will continue. In other words you will be able to fish, swim and hike along the high land; these regular uses will continue to be under the control and management of the Bureau of Sports Fisheries and Wildlife. The purpose I gather from the Act in setting up these wilderness areas is to make some of the sections of the country less and less susceptable to recreational exploitation, so for such a place as Monomoy which is pretty much in its primitive condition, I think it would be very well to have it under the protection of the Wilderness Act. We have miles and miles of beach here on Cape Cod open for recreation purposes; it seems only good sense to set aside a certain part of our Seashore for the other more aesthetic purpose. I would hope that this Commission, if it is to take any action, would approve placing Monomoy under the classification and protection of the Wilderness Act.

MR. DIEHL: How is that done?

MR. MCNEECE: The Secretary of Interior requests that these hearings be held, and based on the material that is submitted, the arguments etc., it is up to the Secretary to make a determination as to whether or not this should be classed as a Wilderness Area. He in turn makes that recommendation to Congress. His recommendation will depend a great deal on what is learned at the hearings and the position taken by various organizations. We know that the Massachusetts Beach Buggy Association is making a strong effort to have the area open for beach buggy use and the sports fishermen are joining in that effort.

MR. NICKERSON: One of the provisions of the Act would be that there shall be no permanent road in the wilderness area and except as a necessary requirement for administrative purposes no temporary road. The Act says that there will be no structures or installations in the area but this would have to be modified in consideration of the Audubon Society's rights; and they would have to permit landing of boats, and continue to let people with life tenure in camps stay. There are two next to the lighthouse which have permanent tenure. They are in the same status as the Audubon Society; or "improved property" within the Seashore.

MR. CHILD: Can anyone go by boat and fish from the shore?

MR. NICKERSON: Yes.

MR. CHILD: Is any hunting allowed?

MR. NICKERSON: No hunting because it is presently a wildlife refuge.

It is possible hunting could be allowed when and if it is no longer a wildlife refuge.

MR. CHILD: Does a wilderness area classification permit hunting?

MR. MCNEECE: He said it could be.

MR. MCCARTHY: I note that Mr. McNeece says that fishing will be allowed. I have been assured that it was an unintentional omission in this brochure which has caused a hassle. The Sports Fisheries boys are up in arms over it; it will be cleared up over this week-end.

MR. NICKERSON: The difficulty is beach buggy men driving in a motor vehicle.

MRS. WILES: What about the Audubon Society. Are they allowed to take parties all over the Island, picnicing, birding, etc.,?

MR. MCNEECE: That will continue.

MRS. WILES: I don't see why they should be allowed.

MR. MCNEECE: It is an established use. I suppose it would be something like a non-conforming use under zoning bylaws.

MR. NICKERSON: Not only that, but the Audubon Society conducts research and experiments.

MRS. WILES: That is only to go themselves; but to take people there and pay no taxes, you get no revenue from them. Like in Wellfleet; they have, besides the Seashore; more than 300 acres of land that is not taxed. They rent at least two places and pay no taxes.

MR. MCNEECE: Don't they perform quite a public service?

MRS. WILES: With the Seashore here; I should think they shouldn't be there; and something should be done about Wellfleet; it has had too much taxable land taken out now.

MR. NICKERSON: One of Audubon's houses is in Eastham; the Outermost House. Do we want to take a position on this or don't we?

MRS. WILES: If they want to go and study there personally all right; but to take parties out there and get money for it when other people can't; I say no.

MR. NICKERSON: The question is whether we should take a position as to whether or not Monomoy shall be taken as a Wilderness Area. I question as to whether we should take a position at all, but I wanted to bring it up and see what the Commission wanted to do.

MR. MCNEECE: I think it would be proper and I would like to have the Advisory Commission take a position.

MR. MALCHMAN: On what?

MR. DIEHL: Go on record as having this taken over by the National Park Service as part of the National Seashore?

MR. NICKERSON: This is, according to the Secretary of Interior, a recreational area.

MR. FINLAY: What is the alternative - what happens?

MR. MCNEECE: It remains in its present state.

MR. FINLAY: You prefer to have it wild; what is your concern if it remains with Wildlife?

MR. MCNEECE: The Bureau of Sport Fisheries and Wildlife have

recognized the fact they have been spending money there and getting no return. They have cut the budget here practically to the minimum, providing almost no supervision; three or four trips during the summer. They "want out". If it can be a Wilderness Area there will be proper supervision with patrols etc., and I think it is a healthy situation to have it in some status where there will be control and supervision.

MR. DIEHL: How much does it cost now to supervise?

MR. MCNEECE: Peanuts.

It was moved by Mr. Diehl, seconded by Mr. Finlay that the Commission go on record as favoring the designation of Monomoy Island as a Wilderness Area.

MRS. WILES: I think excluding Audubon Society tours on it.

MR. MALCHMAN: I don't think we are in any position to dictate policy.

MR. NICKERSON: I think we are in a position to say whether we approve or not of having this designated as a Wilderness Area.

The vote was taken. Affirmative except for one, Mrs. Wiles dissenting.

Item 8. Seashore Educational Material

MR. NICKERSON: This is a subject I mentioned at our last meeting. I am particularly glad that Mr. Garrison is here because I would like to have him participate in this discussion if he would like to but it seems to me that there is going to be a continuing conflict in the developments of the Seashore between the recreation and conservation philosophy. In the opinion of some, including Mr. Hartzog, these are compatible; and they are to a point, but there comes a point where they are not. The determination of the degree in which we are moving toward conservation or recreation will depend on the wishes of the people. This will be a policy decision, and that policy decision will be made not by the people in this area, but by those in urban areas because they constitute the voting area and people outside of that area will become practically disenfranchised for all practical purposes. If there is to be a strong conservation feeling the strength of it has to come from people living in urban areas. The next step is exposing visitors from urban areas to what we believe the Seashore applies to. Anything we can do to educate the urban visitor so that he can go back as an advocate of the conservation approach will strengthen the conservation angle and will tend to ward off the crisis which is going to come from urban people to have hot dog stands and roller coasters. Therefore I would like to suggest,

and see what the Commission thinks of it, that we recommend to the Park Service that as rapidly as possible they make available materiel which can be loaned on a deposit which would be returned when materiel is returned; to anyone who asks for it so that these individuals could present this materiel to their local clubs. This materiel could be primarily in two forms; a series of slide pictures and a verbal presentation; it might be done in some instances by taped records or an outline of a lecture or talk to describe the pictures and comment on them. I am inclined on the latter. My suggestion is that the Park Service be urged to study this proposal and in the event they approve it, to come up with some specifics so that not later than 1968 and preferably before - in the current year - they could place this materiel in the hands of the visitor going home to his urban location. What do you think of it?

MR. MCNEECE: I agree heartily.

MR. CHILD: A fine idea.

MR. MALCHMAN: I agree with your concept; my objection to it is that it really isn't a mass education approach. If every person who visited showed it to ten others you haven't a mass approach; and I think you need a "Smokey Bear" thing.

MR. NICKERSON: In any case this program should be directed so it covers current development. Others who can be convinced and spread the gospel.

MR. MALCHMAN: I think that is the hard way. It would be most successful in a mass involvement or mass education.

MR. MCCARTHY: I happen to be both a resident of the lower Cape and an urban resident. You have mentioned the word "compatible"; it seems that there is also a degree of responsibility on the residents of the Cape to draw the line somewhere so that you do not have this sharp cleavage which seems to be developing between National Park Service construction and what has been going on in local municipalities. There is a degree of responsibility on local people for proper zoning laws in order not to put the National Park Service in jeopardy where they are this close together that they cannot identify municipality as against National Park Service.

MR. CHILD: I would like to comment. Our zoning laws have been changed to conform to what you refer to and we also have building laws.

MR. MCCARTHY: As late as Thanksgiving they are not being enforced.

MR. NICKERSON: I could point out by contrast what the Chatham Conservation Commission has done in Chatham. They have gotten conservation areas and zoning bylaws. In general, I think towns are moving toward a stronger appreciation of the value of conserving natural assets and restricting uninhibited men. They are moving in that direction.

MR. MALCHMAN: There is a definite movement, particularly on the part of the upper Cape towns.

MR. NICKERSON: I am not sure at all of the method of approach, but it seems the objective is fairly clear as to the desirability of finding a means of telling the story. It seems a visitor here who is permitted to take slides, canned records or tape recordings telling the story, or material in printed form, would help us when they get back to the city. I am not referring to the unsophisticated person who regards going to the beach as being within ten miles of the ocean; the people we reach we want to attempt to give a little understanding of the value of the areas here which are so fragile; rather than the excitement of the ride up and down the dunes and scouring them out.

MR. CHILD: This kind of program would not only be good for the Seashore, but it would be good for the state. This is especially good for both those reasons.

MR. FINLAY: What do you visualize as the type of recreational developments which would be objectionable?

MR. NICKERSON: The occupation of beaches by beach buggies. They are occupying the most valuable real estate in America which has been taken away from the owners and given as free summer time residences to people on wheels. The necessity for having trampolines to jump up and down on, and roller coasters; this approach.

MR. FINLAY: I wanted you to express yourself; I am very much aware of your feeling.

MR. DIEHL: You are not talking about the Seashore entirely, but of

Cape Cod as a whole.

MR. NICKERSON: The pressure is that the Seashore shall provide recreational facilities. When I say "recreational facilities" I may mean a walk on the beach; but someone else may mean trampolines.

MR. DIEHL: This can't take place in the Seashore.

MR. NICKERSON: If the public demands it, it will be done by the government or by a concessioner. My feeling is that the public has to persuade itself to not want these things. I mean the urban public.

MR. DIEHL: Why couldn't we box up slides and have it passed out in the concessioners operation for sale?

MR. NICKERSON: They probably wouldn't buy the things you would sell; you would loan them out on a deposit sufficient to cover the costs and then refund.

MR. DIEHL: I am afraid the people who would be interested in it are already for conservation.

MR. NICKERSON: Perhaps it should be in a pamphlet form. At this point I am suggesting to the Park Service to give some thought to this proposition and see if there is something they can do to proselyte by Foundations.

MR. DIEHL: The only way you can reach the people you want to reach is through TV and through a Foundation.

MR. NICKERSON: Maybe some Foundation will be willing to do something like this.

MR. FINLAY: Again on the camping angle; campers in the sense of these small units being towed behind a car etc., that is something we have to face; is there objection to that in the proper place? Should the Park develop that? There is a tremendous expansion of that and it is good and healthy.

MR. NICKERSON: I think the Park will have to. My objection is to uncontrolled camping at ocean beaches.

MR. MALCHMAN: I think we are already in the making of overuse. I am thinking of bicycle trails; I know from personal knowledge there are three more outlets in Provincetown interested in bike renting; people who are willing to put so many bicycles on the trail that it will become of little value and no pleasure to anyone. This defeats the purpose for which it was put there.

MR. JOSEPH: Your point is that anytime your visitor use area gets crowded, it defeats itself?

MR. MALCHMAN: Along these lines we have to think in terms of facilities that are already in use so that they don't become over-used.

MR. CHILD: There is one problem which is going to come up; that is injury, and the Park Service better be alerted and aware of it.

MR. NICKERSON: The real problem is in keeping motor bikes off the trail.

MR. JOSEPH: I know what Nate (Malchman) is talking about because these interests have tried to get in touch with me. This is one of

the problems you face; they like to use it for a business also.

MR. MALCHMAN: They are beginning to look at the bicycle trails as an opportunity to meke money.

MR. GARRISON: Is there a provision in the Massachusetts school system for conservation education in the schools?

MR. MCCARTHY: The Department of Education was allowed a position of - I forget the title - and there was a gentleman in the position. The last I heard he had left the job. He had prepared material for distribution in the schools. Whether or not he will be replaced I don't know.

MR. CHILD: Your Department (Dept. of Natural Resources, Mass.,) gets out a twelve page pamphlet in which one whole paragraph says that it is the duty of the Conservation Commission in each town to educate the child as far as possible on conservation matters. We have done that in Provincetown by having a lecturer and we also have other plans.

MR. GARRISON: In the broad aspect of the Park program we are looking ahead in the whole Service; one major objective of the next few years is going to be one of interpretation; to carry the story of the National Park Service not only to the visitor but beyond our boundary; this is exactly what you are talking about. We are very interested in exploring this kind of approach with you and in seeing what would come out of constructive help. If you are going to teach conservation in schools, who is going to teach

the teachers? If they don't know anything about it they can't do this effectively. I would think that possibly something such as Mr. Nickerson suggested might be developed from one or two or three alternates which would be available on a rental or deposit basis, and a kind of catalog provided that a visitor could pick up, or which could be mailed and a teacher could get, and this material used at community groups, garden clubs and such organizations. The Service already does have a library of available materials and Mr. Joseph and I were talking about this earlier today. I don't know what we might do; I would simply say you can't expect the man who is trying to carry on an interpretive program with a full time job to pick up and accomplish it too successfully, because it is going to take a little time. Someone is going to have to get the material and slides ready. We would, however, be pleased to explore the possibility of what alternative might be available to get enough money to try to experiment and see how it goes. When we put out this kind of a story, and I hope this would be the story of ecology, the unity of nature, the oneness of things; we better be sure it is here. Every move we make; another road, another beach, Great Island, is all related to this total picture, and we have to be pretty cautious what we do. I think we are doing quite well right now. What you propose can be done in good faith and quite satisfactorily; if this is the kind of thing you have in mind we would be pleased to explore and see what might

be done. I think Mr. Joseph had something worked out like this at Big Bend; a caption and slides, on a very limited basis.

MR. NICKERSON: A lot of progress is made here with the lectures in the summer season. My thought would be that in the beginning there could be a very limited number of programs; one might be ecology; the Indian history; the Champlain story; the story at Provincetown. You would have a variety, in all not over half a dozen. You would find out your mistakes, and later this could be developed quite extensively.

MR. GARRISON: If this is done I would envision you would mean a little catalog indicating what is available, how much it will cost, and let the visitor take this home. This would be something the Conservation Commission in different towns or a school system could use.

MR. NICKERSON: I am interested in some way - the mechanics will involve some thought - to get to reach the urban dweller in his urban environment and make him a protagonist for saving these natural values.

COM. MEMBER:. Are you beaming this project toward the Cape Cod National Seashore?

MR. NICKERSON: I think it would be a good place to start; but it could be much broader.

COM. MEMBER: I have heard you say several times that you are in a situation where you could just about take care of the visitor load

that is coming now. Would this program increase your traffic?

MR. NICKERSON: I think it would. Traffic will increase and visitation will increase - but will the visitors be sufficiently aware of the values to appreciate them.

MR. GARRISON: You hope to create a more perceptive appreciation of the real value that is here.

MR. NICKERSON: It is something you have to learn; it is not obvious in the beginning.

MR. DIEHL: When you start bicycle trails where do you end? When you start building camp sites where do you end? There are strong groups behind recreational development.

MRS. WILES: I understand they are putting in an outdoor theater. I think this is a mistake because it is destroying the terrain. Lots has been destroyed already.

MR. MCCARTHY: In 1965 on Sunday night I could get back uptown in two hours; two hours and fifteen minutes at the most. All last summer it took a minimum of three hours through solid traffic. I have run three and one-half hours, and I have tried it at 5:30 a.m. Where three years ago you could do it in one and three-quarters hours it now takes two and a half. You are creating a problem and if you build this it will be worse. I am not against the principle of the broad approach by the National Park Service or the Department of Interior. I think it is bigger than the National Park Service; I think it is a Department of Interior approach on the broad picture

right across the country.

MR. NICKERSON: If we accept as a premise that the number of these people is bound to increase as population increases and transportation becomes more easily available it must follow that the pressures to preserve the fragile values will increase. It is necessary first for people to realize that they exist. This is not to draw more people, but to educate the people who will eventually be here.

MRS. WILES: Don't you think that it will - the Visitor Center will bring more people?

MR. NICKERSON: I don't necessarily think so; I think it is going to educate. I don't think you can say what brings people here; I think there are many reasons; principally it is word of mouth.

MR. GARRISON: Do you have any figures of what percentage of visitors at the Cape are from out of state?

MR. NICKERSON: These figures were in the Barnstable County study made in the Blair Report - Cape Cod 1980; the information came from local sources and from the Massachusetts Department of Commerce.

MR. GARRISON: I am sure more visitors are going to come; the people are going to be here; if you can pre-condition a few of them I think you are better off.

MR. NICKERSON: That is my whole point.

MR. DIEHL: I would like to have some thought given to whether or not Foundation money is available for this thing we are talking

about or whether Department of Interior or National Park Service interpretive program would have something to say on this.

MR. GARRISON: Mr. Diehl do you think there would be a possibility that we could work into a program of really making a fairly large scale approach to this problem of not only natural but historical and other urban areas around us, and get money enough to really find out if it worked?

MR. DIEHL: Yes, I think it could be done on TV channel 2 which is an educational television channel in Boston, but it would have to be done professionally.

MR. JOSEPH: If you and Mr. Garrison agree possibly we could get the President of the Old Dominion Foundation up here and discuss this with him on a full scale basis. I am sure Mr. Garrison would bring one of our people from the Interpretive Division in Washington to join us, it might prove to be very interesting and worthwhile.

MR. FINLAY: What you are talking about is conservation of values before they are destroyed; there has been tremendous progress made along these lines through studies of water pollution and other phases.

MR. GARRISON: The big danger to all is the nibbling away; pretty soon you have lost the whole thing; it sort of vanishes and there is no way to replace it.

Item 9. Agenda Items and Date for Next Meeting

It was established that the next meeting would be held on February 10.

MR. NICKERSON: Items on the agenda will include this question of bicycle rental; also any commercial applications regarding the Suspension of Condemnation Certificates which we receive information on. If it is agreeable to the Commission I would like to leave it that the Chairman and Superintendnet may add other items which come up and seem to be pertinent before the next meeting.

MRS. WILES: I would like to know if any decision has been reached with regard to our discussion on Great Island.

MR. NICKERSON: Anything regarding the policy on alterations and additions to dwellings in the Seashore?

MR. JOSEPH: With reference to Great Island, I can only repeat what was said in the Progress Report. Regarding the alterations or additions we are getting closer to a decision on this and I hope to be able to discuss it in greater detail very soon.

Item 10. New Business

MR. NICKERSON: Mr. Garrison we are delighted to have you here; we have been looking forward to your visit for several months; and every one of us is most appreciative of your being here.

MR. GARRISON: I thank you and I am very happy to be here; as you know I have attempted to meet with you before but the weather did not cooperate. I am pleased to be able to bring you greetings from

Director Hartzog; he does want to meet with you, and he will soon. We all read the Minutes of your meetings and of course I keep the Director advised of all matters in connection with this area. We keep in touch closely with the Superintendent on the many ramifications of inter-related operations. Your work here is important and constructive and we salute your willingness to give of your time, your talents and your knowledge in cooperating in this exciting and rewarding progress which is being made. You bring to us the expert knowledge of many aspects of Cape Cod history, geology, ecology, biology, botany, water, land, people, architecture, commerce and government. You are most helpful and we appreciate it greatly. In your frankness lies the chief consultant values. We look forward to more of this helpful and interesting relationship.

I have been particularly interested in your decision regarding the exploration for oil and gas reserves in the Atlantic ocean and the proposed Wilderness area for Monomoy Island as well as your reaction to Mr. DeSilet's presentation of the proposed plan for this area between South Wellfleet and Eastham. I consider Mr. DeSilets to be one of the outstanding planners in America.

I want you to know that this morning at a meeting of the staff of the Cape Cod National Seashore I had the pleasure of presenting to Stan (Joseph) a Citation from the Secretary of the Interior with a certificate, silver medal and lapel emblem. This is the Meritorious Service Award of the Interior Department, and I would like to read

the Citation to you: (Reads)

THE SECRETARY OF THE INTERIOR
WASHINGTON

CITATION

FOR MERITORIOUS SERVICE

STANLEY C. JOSEPH

in recognition of park management contributions to the National Park Service and an outstanding record of public service.

Mr. Joseph entered the National Park Service at Yosemite National Park in May 1932. He early demonstrated a strong aptitude for effective public relations and park management in administrative positions at Yosemite and the Midwest Regional Office at Omaha. As Assistant Superintendent in Glacier and Superintendent of Big Bend National Park, he strengthened the Service's activities through excellent public relations with community leaders and cooperation with bordering countries. In September 1963 he assumed responsibility for the management of Everglades National Park. Here he overcame difficult obstacles and conducted a vigorous campaign to win support for Everglades on the water issue. He set up close working relationships with organizations interested in the park and laid the groundwork for cooperative activities. He provided dynamic leadership to the Florida Work Group made up of local officials, interested government agencies, and conservation associations which resulted in widespread and sympathetic publicity of the Everglades water shortage problem. Mr. Joseph was selected for the Cape Cod National Seashore superintendency in January 1966 because of his combination of effective public relations and strong grasp of administrative management principles and practices. His special skills have enabled him to work harmoniously with diverse interests at Cape Cod. In recognition of his effectiveness in managing park areas and his sound public relations during the early stages of development of several areas administered by the National Park Service, the Department of the Interior grants to Mr. Joseph its Meritorious Service Award.

(Signed) Stewart J. Udall

Secretary of the Interior

MR. NICKERSON: Thank you very much Mr. Garrison for allowing us to share in the presentation of this award. We are proud that Mr. Joseph has received it; certainly it is richly deserved. You spoke of "frankness"; if you are interested in frankness you get it here in the meetings of this Commission.

MR. DIEHL: I want to make sure that Mr. Joseph's commendation is made a part of the Minutes. We are all happy he has received it and it adds not only to his stature but to ours as well.

No further business appearing, the meeting adjourned at 5 p.m.

(For Administrative Use Only)

M I N U T E S

Fifty-fourth Meeting

CAPE COD NATIONAL SEASHORE ADVISORY COMMISSION

at

Headquarters, Cape Cod National Seashore

South Wellfleet, Massachusetts

February 10, 1967

AGENDA

CAPE COD NATIONAL SEASHORE ADVISORY COMMISSION

Fifty-fourth Meeting

February 10, 1967

Item	Subject
1.	Adoption of Agenda
2.	Approval of Minutes of Previous Meeting
3.	Communications Received by the Commission
4.	Progress Report - Cape Cod National Seashore
5.	Commercial/Industrial Condemnation Suspensions
6.	Shellfishing - Great Island
7.	Golf Course - Truro
8.	Provincetown Airport Bicycle Rental Service
9.	Proposed Scientific Committee
10.	Agenda Items and Date for Next Meeting
11.	New Business

The fifty-fourth meeting of the Cape Cod National Seashore Advisory Commission was held on February 10, 1967 at the Administration Building in the Marconi Station area, South Wellfleet, Massachusetts, with the following Commission members present:

MEMBERS:	Recommended by
Joshua A. Nickerson, Chairman	Barnstable County
Robert A. McNeece, Secretary	Town of Chatham
John W. Carleton	Town of Truro
Ralph A. Chase	Town of Eastham
Nathan Malchman	Town of Provincetown
Esther Wiles	Town of Wellfleet

OTHERS: National Park Service, U. S. Department of Interior

Stanley C. Joseph	Superintendent, Cape Cod National Seashore
Ernest J. Goodale	Actg. Land Acquisition Officer, CCNS
Norton M. Bean	Chief Park Ranger, CCNS
James H. Bowman	Engineer, CCNS
Lyle E. Jamison	Administrative Officer, CCNS
Edison P. Lohr	Historian, CCNS
Lyndell Baldwin	Secretary, CCNS

ALSO: Stephan R. Perry, Selectman Town of Truro

Absent Commission Members were: Leo E. Diehl, Vice Chairman, Josiah H. Child, Arthur Finlay and Robert L. Yasi.

The meeting was called to order at 1:45 p.m. by Chairman Nickerson.

Item 1. Adoption of the Agenda

It was moved by Mr. McNeece, seconded by Mr. Chase and VOTED to adopt the Agenda as printed.

Item 2. Approval of Minutes of Previous Meeting

It was moved by Mr. Chase, seconded by Mr. McNeece and VOTED to approve the Minutes after changing the second sentence on Page 24 to read "Fort Jefferson....."

Item 3. Communications Received by the Commission

MR. NICKERSON: I have received a letter from Hank Foster in which he suggests that Mr. Haven Emerson might be helpful to the Park Service in connection with the proposed Kennedy Trail. It seemed to me that this was something beyond the concern of the Advisory Commission, and more the function of the Seashore to determine if they are interested. I have also received a communication from the Truro Golf Committee regarding the Highland Golf Course. Do you wish to have this read now?

MR. MCNEECE: Is this going to come up later?

MR. CARLETON: Yes. Steve Perry is coming up just for this, but this is background information for the discussion and I would like to have the letter read now.

MR. NICKERSON (reads letter)

February 7, 1967

Mr. Stanley C. Joseph, Superintendent
Cape Cod National Seashore
South Wellfleet, Massachusetts

Dear Mr. Joseph:

The Cape Cod National Seashore Advisory Committee has recommended to the National Park Service that the Highland Golf Course in North Truro to be operated on an interim basis for the years 1968 and 1969 and that a permanent arrangement for operation be consummated for the period commencing January 1, 1970.

The voters of the Town of Truro have shown a definite interest in Town operation of the Highland Golf Course. At a special Town meeting held on December 29, 1966, they voted to appoint a committee charged with the responsibility of investigating the potential and financial feasibility of the course as a Town operated facility either by lease or conveyance from the National Park Service. Legal authority for such action is contained in Section 14 of Chapter 45 of the statutes of the Commonwealth of Massachusetts.

At its first meeting on January 27, 1967, this golf committee considered the various aspects of the Town operation of the Highland Golf Course as well as the expressed wishes of the officials of the Cape Cod National Seashore regarding leasing and operating procedures. The committee also voted that in its opinion an 18-hole course at Highland is neither necessary nor feasible at this time but that an improved and modernized 9-hole course was most suitable for the conditions on the Outer Cape.

In the light of all of these recent developments, the Town of Truro now wishes to submit the following proposal for leasing and operating the Highland Golf Course in North Truro by immediate direct negotiation with the Cape Cod National Seashore and the National Park Service.

(1) The Town of Truro is desirous of leasing and operating the Highland Golf Course in North Truro for the interim period, January 1, 1968 to December 31, 1969 and for a 20-year period commencing January 1, 1970. The Town of Truro is prepared to offer the sum of $1 plus 1½% of the gross annual receipts from such operation as an annual fee for such a lease. In addition the Town is prepared to expend a substantial sum (estimated at $50,000.) for the initial improvement and modernization of the present 9-hole golf course and also to plow back 5% of the gross annual receipts for maintenance and further improvements.

(2) The Town of Truro has adequate financial resources and responsibility to carry out this program. For the year 1966 its assessed valuation was $6,039,575.00 on a 30% basis, and its annual operating budget was $411,799.86. The under-signed golf committee is prepared to recommend to the voters with the assured endorsement of the Board of Selectmen that the sum of $50,000 be raised and appropriated for these initial Capital improvements. The Committee and the Selectmen feel that this recommendation will be approved. The capital expenditures contemplated include the installation of a sprinkling system for watering the fairways, the construction of new tees, the construction of sand traps, the planting of trees and shrubs to delineate fairway boundaries and the purchase of special equipment for maintaining the

course. These improvements would be done only after consultation with a competent golf architect. Also some of the funds would be used for improved club house facilities in a building which the Town anticipates will be furnished by the Cape Cod National Seashore from those now adjacent to the golf course.

(3) The present golf committee will further recommend to the voters that a 5-man Truro Golf Commission be appointed by the Selectmen from among the residents to supervise the operation of the golf course and to hire the necessary professional personnel. There are many competent people in the community to serve on such a commission. Indicative of the business responsibility and experience of people available for commission membership is the background of the members of the undersigned committee. One is a retired partner of a nationally renowned financial house; another is the proprieter of a successful real estate and insurance business (he is also a low-handicap golfer); a third is a retired executive vice-president of one of the country's largest publishers; the fourth is a highly successful agriculturalist and the fifth is a long-time member and former chairman of the Truro Recreation Commission. There are other residents of Truro with similar business responsibility and experience who might be named to the permanent golf commission.

(4) The same criteria set forth above apply to the managerial ability of those who will be responsible for the operation of the golf course. It will be the aim and purpose of the Town of Truro to make the Highland Golf Course the best 9-hole golf facility on Cape Cod.

(5) It is the intention of the Town to see that a highly qualified golf professional is employed to direct the operation of the Highland Golf Course and to supervise the staff.

(6) In accordance with the above the Town of Truro offers to operate and maintain facilities and to furnish the services for the accomodation and convenience of the public in the Highland Golf Course area of the Cape Cod National Seashore in accordance with the program of operation and of capital improvements herein set forth. Such operation shall be for the interim period January 1, 1968 to December 31, 1969 and for a term of 20 years commencing January 1, 1970. The Town of Truro will pay annually to the United States for the privilege of so doing, the sum of $1 plus an amount equal to 1½% of the gross receipts.

Financial qualification, experience and business responsibility have been covered in previous paragraphs of this letter.

If this proposal is accepted, the Town of Truro will enter into negotiations with the National Park Service for a contract covering the accomodations and services described above. Such contract to be binding must be accepted by the voters of the Town of Truro and a special Town Meeting will be called immediately after notification for the purpose of securing such acceptance.

Sincerely yours,

Truro Golf Committee

s/t Stephen R. Perry, Chairman
s/t John W. Carleton
s/t Antone Duarte, Jr.
s/t Thompson L. Holway, Jr.
s/t George C. Tenney

Item 4. Progress Report - Cape Cod National Seashore

MR. JOSEPH: First we might mention that we have had some previous discussion about seeing this area from the air in a helicopter, but this was not considered feasible for various reasons, one of which is the size of our group. If the Advisory Commission would like an air trip in the near future over this area, including Cape Cod and the Islands, and over Long Island if desired, I can follow up a local contact to try to arrange it through the Stewart Air Force Base at Newburgh, New York. This might be followed by a bus trip, for example, to Fire Island National Seashore if funds permit.

It is not anticipated there would be any charge for an Air Force plane, but we would have to write to the Headquarters of the First Air Force at Stewart Air Force Base in Newburgh, New York, stating what we want to do and the reason for it, including the official status of the Advisory Commission. With a group the size of the Commission, and

possibly others, including news media representatives they would have to try to get a C-54 (similar to DC-4 with 4 motors).

MR. NICKERSON: Could this all be done in one day?

MR. JOSEPH: Yes, we could leave Otis AFBase in the morning, cover this area including the Elizabeth Islands, fly over Fire Island, land at Islip and take a bus trip from Islip to Fire Island, possibly we could spend four hours at Fire Island before returning to Otis.

MR. NICKERSON: It would be highly desirable to see Fire Island because there will be comparisons made. If we could fly over Assateague it might be better.

MR. JOSEPH: It might be better to fly to Assateague and then take a bus to Fire Island.

MR. MALCHMAN: What time of the year would this take place?

MR. JOSEPH: Sometime early in May or in June. We are tight on funds as far as a bus trip goes; but the Air Force would fly us without reimbursement.

MR. NICKERSON: Let's leave this in case Leo (Diehl) gets here to participate in the discussion.

MR. MCNEECE: I suggest this group go to Monomoy Island.

MR. NICKERSON: That could be arranged with the Audubon Society.

MR. JOSEPH: To continue with the Progress Report - the Province Lands Roads, Utilities and Shore Protection contract and the Eastham Roads, and Bicycle Trail contract are still on Stop Order. The Province

Lands Bicycle Trail contract is at a standstill pending the next move by the Bonding Company.

Computations are being made for a vertical alignment of the sections of Nauset and Doane Roads which are to be reconstructed. Plans and profile sheets for these sections of the road will also be prepared.

The Salt Pond Amphitheater and Projection Booth were completed during the month of January and testing and adjustment of the audio-visual equipment will be completed on arrival of minor parts of the system.

Work at the Job Corps Training Building has stopped until approval of the cost for electric service to the building. Work under this contract is nearly completed except for testing heating, plumbing and electrical systems which cannot be completed until electricity is available.

The Comfort Station and Dressing Rooms at Head of the Meadow Beach in North Truro were completed and the contract terminated.

MR. NICKERSON: Is the bicycle trail in condition so it can be used?

MR. JOSEPH: Yes; maintenance work has to be done because he didn't finish grading and the path has washed out somewhat; it could be used however.

MR. MALCHMAN: I went over it on Sunday.

MR. JOSEPH: We have written letters to all holders of Suspension of Condemnation Permits for Commercial or Industrial Property with the

exception of three in Truro, Thompson's Clam Bar, Horton's Trailer Park and Horton's Landscaping Service; advising them of the review privilege contained in Schedule "A" for consideration of extension of the certificate; and advising them we would be happy to present their letter-request for such a review to a meeting of the Advisory Commission early in 1967. The three to whom we did not write will receive special consideration at a later date. We have received replies from several of these certificate holders.

Bids were opened on January 24 on the surplus buildings offered to the public. Two bids were received. Collis D. Peters of North Eastham was the successful bidder for the Fishnet House at Coast Guard Beach in the amount of $512. Mrs. Lawrence J. Johnson of Boston bid on the garage in the amount of $25. No bids were received for the fire house at former Camp Wellfleet.

Two meetings have been held with the Chief Park Ranger regarding the possibility that fees will be collected in this area this summer. Problems were discussed and planning was begun to implement fee collection if it is required.

MR. NICKERSON: Do you have any estimate of the cost?

MR. JOSEPH: Yes, and it is extensive. Ben (Bean) do you recall the figures?

MR. BEAN: We estimated we would take in $120,000; the cost would be $25,000 to $30,000. It is obviously a paying proposition.

MR. CHASE: This would be at all beaches?

MR. JOSEPH: With the exception of Eastham residents who would use Eastham beaches free, it would be in effect at all protected beaches. This is a use fee, a parking fee under the Land and Water Conservation Act. After thorough review the only practical thing would be a small portable checking booth.

MR. NICKERSON: You would have to police the property on the roads outside.

MR. JOSEPH: This is going to be a very delicate problem and we will need more manpower.

MR. NICKERSON: What fee is contemplated?

MR. JOSEPH: $1 per day at any beach, or they could use the $7 Land and Water Conservation sticker.

MR. NICKERSON: And in Eastham - will they have a sticker to exempt them?

MR. CHASE: Are you going to charge a fee to walk in?

MR. BEAN: The fee is just for parking.

MRS. WILES: A bus could come in and unload and let people in.

MR. MALCHMAN: When the State ran Herring Cove they instituted a fee for two years. It was highly unsuccessful because they couldn't police it. Visitors put their cars anywhere and took off across the dunes.

MR. JOSEPH: Obviously this has happened and similar things will

happen in the future. If anyone has any further suggestions as to whether fees should be charged ....

MR. NICKERSON: Mr. Malchman's point is good. You are going to create a jam on the side roads.

MR. JOSEPH: This has already happened. It will call for the utmost cooperation by town police and Park Rangers, working together.

MR. MALCHMAN: In Provincetown when the State imposed a fee at Herring Cove and no parking on the roadway, the town police said they had more than they could handle and it was chaos. The beach was jammed but there were no cars in the parking lot.

MRS. WILES: Since they have had fees at Newcomb Hollow (in Wellfleet) it has been greatly improved; cars used to be parked a mile away and people were walking to the beach. They put up no parking signs and didn't have much trouble. The most trouble was that the officer attending it was letting people in without paying anything. I checked, and sure enough there was a car from Ontario, and I asked him under whose authority, and he said no ones, and I asked if he was taking it upon himself, he said that they just wanted to look at the ocean. I took it up with the Selectmen and it was stopped.

MR. CHASE: The Seashore has an unusual problem because the towns have eliminated beach use by lots of people and the Seashore now must take care of them. They eliminate everyone but townsmen and guests.

MR. JOSEPH: It is going to be one of the most difficult of administra-

tive problems because of the nature of the road layout and beach access points.

MR. MALCHMAN: It does one other thing; I am not opposed to it, but it does create on the part of the residents of Provincetown a lot of resentment. They are fond of going to look at the sunset and to see how crowded the beach is; when all they want to do is stay fifteen minutes, they will resent it.

MR. BEAN: The fee will be in effect only from 9 a.m. to 5:30 p.m., the time when the beach is protected. After that it will be free.

MR. JOSEPH: The situation is this - while I am not a complete student of the Land and Water Conservation Act, establishments such as this, under the law are required to charge fees. It is obvious we wouldn't if we lost money, if there were substantial and justifiable reasons why it shouldn't be done we would be excused another year. Sooner or later we will; it is contemplated under the law. The funds collected from entrance to set establishments are ear-marked for distribution back to the federal 'overnment and then to the state governments in 60/40 proportions for the acquisition of additional land for outdoor recreational purposes. Not a dollar would stay here; it all goes to the US Treasury.

MRS. WILES: I should think the towns should have a part of that money since the land came from the town.

MR. JOSEPH: The state makes a plan for its share which goes to the various units within the state.

MRS. WILES: But they don't give it as tax relief to the towns; they should.

MR. NICKERSON: It isn't in the law.

MRS. WILES: I suppose it should be put in the law if we had the power to do so.

MR. JOSEPH: This is what we have done to get at least a study of how it might be done. If the Advisory Commission has strong opinions it is better to hear them now than to start it and ...

MRS. WILES: They think they can come to these small towns and have a right to most anything that belongs to the town because they have had all of these things free so long, but if we go to Boston and spend $200 we have to pay for parking our car and we don't get out of it for fifty cents. We get nothing. I think the city people have got it in their heads everything is free in the country; but if you come to the city you have to pay.

MR. NICKERSON: Parking fees would not cover the cost of administration, supervision and capital investment in public facilities or service personnel at bathhouses?

MR. JOSEPH: No.

MR. NICKERSON: All you are doing is collecting a token fee from people coming in automobiles, for providing a special service?

MR. JOSEPH: Yes; and possibly part of the capital investment.

MR. NICKERSON: I would be happy to see the Seashore charge a fee for parking at the public beaches; one reason being that it would take

pressure off the towns who are also charging at the town beaches.

MR. JOSEPH: It is not an unreasonable thing to expect.

MR. CARLETON: I think it should be done this year, and if that was a Motion, I second it.

MR. MCNEECE: If anyone wanted to buy a $7.00 sticker he could come in every day through the season at any beach?

MR. JOSEPH: Yes; this is provided by the law. This will admit him to any National Park in the country and many other Federal areas including Fish and Wildlife reservations etc.

MR. MCNEECE: No chance of providing for residents of any community except Eastham?

MR. JOSEPH: Under the law there can be on complimentary permits. Eastham would be exempt because of the nature of the language of the gift of the land for the beach.

MR. MALCHMAN: Aren't you going to have a tough time explaining to other towns involved why the people in Eastham get in free and others don't?

MR. JOSEPH: All we can do from what I know of this complex situation, is to publicize in the newspaper that Eastham had a special clause in the deed of conveyance to the United States. If we were to consider that the complications were so intense that it would nullify an attempt to collect fees ....

MR. NICKERSON: Do you want a vote from us that the Commission is in favor or accedes to the idea of charging fees? I think we did this once

before.

MR. JOSEPH: I wasn't seeking a vote. I was just thinking of bringing you up to date. If there are any questions I would like to know about them.

MR. NICKERSON: Is there anyone present here today who would feel negatively about this.

MR. MCNEECE: I am just a little doubtful; not negative. This is not something I anticipated giving any opinion on today that is all. We have Yasi absent, also Diehl, both of whom are associated with the Commonwealth.

MR. JOSEPH: If we proceed with the fee collection we have to start preparations almost immediately because the only method we have to put in the turn-arounds etc., to handle traffic in the ordinary manner is to tie on to Stop Order construction contracts.

MR. MCNEECE: Your Rangers have no power to tag motor vehicles; suppose you say no parking, and that apparently has been a problem; your Rangers have no power to prosecute.

MR. JOSEPH: I am glad you brought up this point because it is a fundamental one which is not fully understood by many people. The Commission understands, but many others have a misconception. You are dead right, we do not have jurisdiction over any lands not owned by the United States. We have propritory jurisdiction;as I understand it this means the Rangers have the powers of any other owners of land and that is all.

MR. NICKERSON: This could be overcome by having them deputized as special police officers.

MR. JOSEPH: We have one or two who tie in with each town and are deputized. Yet one has the twin problem if that procedure were to be used as a basis for good enforcement, to find the personnel; whether they are town police or Park Rangers. We do not have any of the seasonal rangers deputized. Our five permanent rangers are spread out over the entire area. It is a real problem and not solved, even by deputizing.

MR. CHASE: We have had a problem in Eastham with or without fees. In Eastham I feel the Park should have Ocean View Drive and take care of it themselves. I don't see very much reason for the town wanting to retain it.

MR. MALCHMAN: Do you have police powers on US Route #6 in Provincetown?

MR. JOSEPH: One attorney in Provincetown had case of a Park Ranger stopping someone on Route 6 thrown out of court. I don't think we have any jurisdiction on Route 6.

MR. MCNEECE: Is this $1 figure something established by the Interior Department or something you recommend?

MR. JOSEPH: It is our recommendation. It could be anything .

MR. NICKERSON: This money goes back to the states and federal government on a 60/40 basis?

MR. JOSEPH: At the present time it is in the wisdom of Congress distributed this way. Authority for distribution in Massachusetts is vested in the Commissioner of Natural Resources.

To continue with the ProgressReport, an agreement was made with the town of Provincetown for the use of town-supplied water in the Race Point area, and recommendations have been made concerning the exploration in use of future water supply points within the Seashore boundary.

MR. MCNEECE: For instance, if Truro doesn't have its own water system, the Park Service and Truro might get together?

MR. JOSEPH: I am recommending this to be a joint approach. At the present time I know Provincetown has no water of its own; their water comes from Truro. When towns approach me with matters of this sort I try to get it in writing, and I value your advice.

Word was received from the Washington office by telephone on February 8 that the proposed exchange of land for school purposes at Eastham was approved by the Director in principle, with details to be worked out locally. The approval in principle was based on extensive information which has been furnished to the Washington office in response to their request for statistical material and which was transmitted by us on January 19.

MR. NICKERSON: This is all a dollar value exchange in acreage?

MR. JOSEPH: I don't know how to explain in terms of your question, but clearly under the Act exchange of land requires it to be of equal

value.

MR. NICKERSON: Who makes the appraisals?

MR. JOSEPH: In this case it was done by our land acquisition office.

MR. NICKERSON: None by the town people?

MR. JOSEPH: No; but in working out such informal details with the Selectmen they have been advised of the number of acres of town land we thought would be necessary for facilities needed for the Seashore including for example for the roadway we discussed last meeting. The Selectmen have to decide that the proposed land they are getting on behalf of the School District would be of equal value and if they have their own methods of valuation, like any other owner, they might adopt them. This is based on the fairest approach that can be made of fair market value and equal exchange without any cash necessary to equalize it. The sense of the Advisory Commission recommendation and my own feeling is that we should try to arrive at an exchange without cash.

With respect to the Educational Program discussed on January 6 regarding a means of reaching urban populations with information on conservation matters, a letter was written to Mr. Ernest Brooks, President of the Old Dominion Foundation, suggesting that if he found it possible to visit this area, we would be happy to acquaint him further with our plans and objectives.

Following the recommendation on January 6 concerning oil and gas exploration, we have asked to be kept advised regarding any

Departmental information on this subject.

A summary of information relating to the zoning bylaws regarding improved property has been prepared by the Superintendent, based on the experience of the past year and rather intensive study. It is proposed that it be in a form that will be helpful to town zoning authorities in interpreting the rules, and following procedures that will assist zoning authorities in handling applications within the presently published rules. Following review of the guidelines in the Washington Office it is planned to take them up formally with the Advisory Commission.

MR. NICKERSON: I have one comment to make. One important aspect of this is the definition of "improved property" which is defined in the Act as a detached one-family dwelling. You say "a structure ordinarily thought of as a house, which would be appropriate in a single family residential district, normally consisting of a central living, dining and cooking area with adjacent bedrooms and bathrooms so that the occupants live in a family relationship with common occupancy of the entire house and communal cooking and dining." I would like to think of this in terma of all such occupancy in the Seashore. This could be the case in houses between the Visitor Center and the ocean; but in Chatham you have a considerable number of occupied houses, single family dwellings, where this definition would not be quite appropriate; "appropriate in a single family residential district, normally consisting of a central living, dining and cooking area with adjacent

bedrooms and bathrooms", that seems to me pretty confining for any type of location.

MR. JOSEPH: You have in mind cottages on the outer beach? You would consider them improved property?

MR. NICKERSON: If you cut out "which would be appropriate in a single family residential district and"adjacent bedrooms and bathrooms". As you know from meetings of this body and from other things we went into we need a more elaborate description of what we are talking about when we refer to a one family dwelling.

MR. JOSEPH: From the sense of the Commission, addressing itself to this problem over the years, could this camp without a bath now be made into a house with all these things added, under the zoning regulations?

MR. NICKERSON: Water supply is a problem.

MR. JOSEPH: Would it happen as a practical matter?

MR. NICKERSON: It might.

MR. JOSEPH: This is something we should, in adopting final regulations ...

MR. NICKERSON: It is somewhat too restrictive to cover all. We were primarily interested in what you could do to a place like this. Can you tear it down and rebuild, build on? There are a number of other points which I won't go into now. It is excellent, but it needs a little polishing up around the edges.

MR. JOSEPH: I would be glad to have it. It is my ...

MR. NICKERSON: Each member of the Commission should have a copy when you get it polished up. Essentially this puts the responsibility on the town.

MR. JOSEPH: Except for variances and exceptions.

Bylaws passed by the town of Wellfleet and approved by the Massachusetts Attorney General covering zoning rules within the Seashore have been received from the town and forwarded for review and approval by the Department.

Several meetings were held with town representatives and Commission members regarding current matters, including the Eastham Selectmen in connection with the proposed regional school land exchange and other matters concerning town lands, in part with Mr. Chase; a proposed right-of-way across town owned land in former Camp Wellfleet with the assistance of Mrs. Wiles and Wellfleet Selectmen in order to provide access to the proposed South Wellfleet beach if funds permit, following the proposed road alignment rather than to rely upon a temporary connection, and also with the Selectmen for ideas as to a shellfish management plan in connection with the proposed access to Great Island for shellfishing purposes; with the Truro Selectmen and members of the golf committee with the assistance of Mr. Carleton. In addition through the help of the Chairman, I received on February 2 a telephone call from Mrs. Megathalin of the County Commissioners' office to assist in determining ownership of the Old King's Highway; since I was meeting the following day with the Eastham Selectmen and

following the suggestion of Mrs. Megathalin I asked if the town would consider writing a letter advising whether or not they had any interest in the Old King's Highway; and if the town had no interest then in turn the county might advise if it had no further interest in the Old King's Highway. This will have to be followed up in order to provide information to the planners in laying out a proposed road as outlined to the Advisory Commission on January 6 when funds become available.

As a result of talking with Mrs. Wiles and the Wellfleet Selectmen, I understand they are proposing an Article in the town Warrant for providing a right-of-way over land in the former Camp Wellfleet area.

MRS. WILES: We thought that should just be a temporary right-of way because Wellfleet is now making up a map showing all of the town owned lands in the Seashore, and the Committee doing this felt it should be a one package deal and we should not give a little here and a little there. I think it was the recommendation of the Committee it would be temporary until the whole package came up, otherwise we are spoiling our bargaining power.

MR. JOSEPH: My feeling on that was that it would be pretty difficult to live with a one year permit, and I so indicated to the Selectmen. I don't know what the Warrant will call for.

MR. NICKERSON: Couldn't that be overcome by saying that the presence of the right-of-way would not act adversely in connection with values of exchange in the future, or would not act adversely to the

town in determining value?

MR. MCNEECE: If the negotiations were long, you could hold up the beach?

MR. JOSEPH: Yes. Mrs. Wiles and the town officials said they didn't want to hold up the project.

MR. NICKERSON: The town doesn't want to put itself in a position to reduce its bargaining power.

MR. MCNEECE: Isn't there an Article in the Town Warrant?

MRS. WILES: I haven't been informed.

MR. CHASE: We can all understand the bargaining power they have with a strip cutting the road right off.

MRS. WILES: To get back to the old theme; if they hadn't taken so much from the town in the first place, the town wouldn't be so keen about having bargaining power.

MR. JOSEPH: Continuing with the Progress Report I would like to report that in addition to informally discussing shellfish management plans and ideas with the Wellfleet Selectmen, I received a communication from Josiah Child, Secretary of the Conservation Commission of Provincetown under date of January 17, 1967 which I would like to read to you. (Reads)

At a joint meeting of our Conservation Commission and the Shellfish Committee, the question of controlling the digging of shellfish in Hatches Harbor was discussed. This is an area which, in the past, has been a productive shellfish area for both quohogs and soft-shelled clams. As we all know, the depletion of shellfish becomes more exaggerated each year, and very strict regulations have been

promulgated in all Towns in Mass. It would seem only right and proper that this area should be controlled also -- tests for productivity should be made and strict regulations set up -- only allowing the digging of shellfish during certain months ... setting areas aside, re-seeding if necessary, and setting areas apart during certain seasons when it would be forbidden to dig any shellfish whatsoever.

We think this is a matter that should be discussed with the Advisory Commission with the prime idea in mind that protection and propagation are necessary in what used to be a very productive shellfish area. This is also a matter in which we feel the Scientific Advisory Committee could be of assistance.

A letter was also received on February 1 from Mr.Edmond E. Milliken of Orleans, who suggested that a program for mutual examination and action on the various problems of marine resources including problems of development and control might well be instituted by the Seashore and the towns related to the Seashore by common boundaries or interests.

I have advised all concerned of our desire and willingness to cooperate having in mind the Act of August 7, 1961 regarding hunting and fishing including shellfishing and the clause that the Secretary shall leave all aspects of the propagation and taking of shellfish to the towns.

MR. NICKERSON: I don't see how the Seashore is concerned with this.

MR. JOSEPH: It has been strongly recommended by those who do not know about this.

MR. NICKERSON: You may be in a knotty legal problem there. The Secretary cannot interfere with propagating shellfish.

MRS. WILES: What did they decide about Great Island?

MR. JOSEPH: If you read the Act carefully it says in SEC 7 (c) that the Secretary may permit hunting and fishing, including shell-

fishing, on lands and waters under his jurisdiction within the Seashore in such areas and under such regulations as he may prescribe during open seasons prescribed by applicable local, State and Federal law. The Secretary shall consult with officials of the Commonwealth of Massachusetts and any political subdivision thereof who have jurisdiction of hunting and fishing, including shellfishing, prior to the issuance of any such regulations, and the Secretary is authorized to enter into cooperative arrangements with such officials regarding such hunting and fishing, including shellfishing, as he may deem desirable, except that the Secretary shall leave all aspects of the propagation and taking of shellfish to the towns referred to in Section 1 of this Act.

MR. NICKERSON: That exception was put in after the Act was originally drawn, which nullifies all that goes before.

MR. JOSEPH: It certainly has that effect but if the town does come to us we will be happy to advise; but they should take the initiative, and I have so advised them. I want to make it clear that I am not looking for an opportunity to take over any jurisdiction over shellfishing. The correspondence concerning the Kennedy Nature Trail which we submitted last month has been reviewed in the Regional Office and has been referred to the Division which handles Master Plan revisions. We have received information that the due date for the revision of the Master Plan is scheduled for July 1, 1967. As yet no firm date has been set for field studies.

The proposed Kennedy Nature Trail is recognized as an important interpretive feature deserving of good planning, and the suggestions made by the Advisory Commission and others to date will be thoroughly considered.

MR. NICKERSON: I see that Mr. Perry has arrived, so shall we move to Item 7. Golf Course - Truro

MR. CARLETON: I think you know everyone here Steve. Mr. Nickerson has read the letter which the golf committee prepared; that is all we have done so far.

(Mr. Jamison and Mr. Bowman join the meeting).

MR. JOSEPH: I would like to have Lyle (Jamison), Jim (Bowman) and Ernie (Goodale) in on this discussion because they have been working with us in arriving at details in trying to get this to work.

MR. PERRY: Basically the intention of the town is as expressed in this letter.

MR. NICKERSON: There is one question I would like to ask. What is the status of the prospectus to go out to bids?

MR. JOSEPH: On January 23 representatives of the Seashore met with the Selectmen at Truro and Messrs. Jack Carleton, George Tenney and Anthony Duarte, members of the Town Committee, regarding the golf course. As a result of this discussion we have received from the town the letter you have heard read setting forth its position and asking for reconsideration of the decision to require issuance of a prospectus and

bids. At our meeting Mr. Duarte recommended that a 9 hole golf course was sufficient. All of the town representatives including himself appeared to be strongly in favor of keeping the course to 9 holes. We felt if the town presented a strong case regarding its inability to bid competitively and recommended formally that it continue to be operated as a 9 hole course, and if this is indicated to be unanimous among all of the selectmen and committee members, these factors may be sufficient to request reconsideration of the decision to obtain bids for the years 1968 and 1969, during which years it was recommended by the Advisory Commission in the August 26, 1966 meeting that we should take steps to keep the course in operation.

MR. CARLETON: We have tried to incorporate in this letter the answer to the prospectus.

MR. JOSEPH: It is quite obvious you did and it indicates the clear thinking of the town; my main purpose at this time is how to keep it in operation in 1968 and 1969.

MR. NICKERSON: Isn't it currently under permit for 1968 and 1969?

MR. JOSEPH: No. The permit expires December 31, 1967.

MR. MCNEECE: Are you in the process of recommending that the prospectus be amended to accommodate the town of Truro?

MR. JOSEPH: Yes. If you want to hear further from me I will tell you what I think and what we have done; but I want it understood I am not trying to dictate what should be done, because I would like the advice of the Commission first.

MR. NICKERSON: What have you done?

MR. JOSEPH: I did this in the interest of trying to expedite this thing and because I am going to be in Philadelphia next week and perhaps I can put in a good word if you want me to. I wrote to the Regional Director on February 9, 1967 as follows:

Enclosed in duplicate is a copy of a letter dated February 7 signed by the Truro Golf Committee, which has been submitted to us following our discussion with the Committee and the Truro Selectmen regarding the proposed issuance of a prospectus for operation of the golf course.

The matter of the Highland Golf Course is on the Agenda for the Advisory Commission meeting on February 10 and I plan to inform the Commission regarding the matter to date. I would also like to review this matter with appropriate staff members while I am in Philadelphia, and at that time I may have obtained information as to the reaction of the Advisory Commission.

The town of Truro, acting through its Golf Committee, feels strongly that the golf course need not be expanded to 18 holes. This certainly is a reasonable approach, and one that would change materially the tentative prospectus, assuming that the Advisory Commission concurs in the 9 hole course instead of the 18 hole course. This realistic position taken by the town, together with the information contained in the enclosed letter, would seem to me to be sufficient justification to re-open the question of whether some means can be found at least to enter into direct negotiations with the town of Truro for operation of the existing golf course during the years of 1968 and 1969. For all purposes including administration and planning requirements, the various facilities in the Highland Light area including the golf course and authorized commercial operations, would terminate at the close of 1969. Of course as previously outlined, it is desired that the golf course continue in operation into the future. The enclosed letter proposes an operation for 20 years, the terms of which we think should be carefully considered; but in order to make the most suitable arrangements for continuing the operation of the golf course beginning in 1970, we recommend that we be authorized to conduct negotiations with the Selectmen of the town of Truro that would lead to the issuance of a Special Use Permit for the years 1968 and 1969.

We understand that the due date for the revision of the Cape Cod Master Plan is scheduled for July 1, 1967. This is indicated by

Mr. DeSilets' memorandum of February 3 to the Chief, D&C, PSC. In addition, information is being obtained as to the use or disposition of the buildings in the area. Both of these planning matters should be given very careful study. Since they will have an important effect upon the future operation of the golf course we believe that a Special Use Permit, issued to the town for operation of the golf course for 1968 and 1969, would be one of the best ways in which to proceed at this time.

MRS. WILES: Didn't I vote against expanding the golf course?

MR. NICKERSON: If there was any negative vote it was only one or two. The town would not make any major capital outlay on a two year proposal.

MR. JOSEPH: Having the letter and just reacting to it as I see it from the standpoint of administration here in the Seashore I have used the idea of coordinating all of the planning for the Highland House, Golf Course, Jobi Shop, Little Shop and Apartment on the basis of the desirability of terminating at least the existing authorized activities all at the same time; in other words December 31, 1969. As a means of opening the question of whether we can give the town a Special Use Permit without bids, I am not prepared very well; unless you can give me more information.

MR. NICKERSON: There are a number of factors at work - one is the change from 18 to 9 holes which at least gives you an avenue to open the question. What do you have to say Mr. Perry about limiting it to two years and holding you blind as to what might be done after that?

MR. PERRY: We thought of it in those terms as not being feasible. We couldn't do any more than maintain it, but we still would like to have the long term investment.

MR. JOSEPH: I think any town or establishment, government or commercial, would want a long term, there is no question about it. A strong representation by the Advisory Commission on that point based on what they have seen, would be helpful in still getting it to the town on a long term basis on a direct negotiation basis. The record shows that in the early stage of thinking the whole idea was that we would try to get it to the town for two years so that they could make up their mind as to what they wanted to do in 1970.

MR. PERRY: The situation of Mr. Duarte running it for an interim period for the town would be different than the proposal made in the letter. It was originally proposed, but it fell by the wayside when the prospectus came to light. We went into it further and came up with the proposition which you have today.

MR. NICKERSON: You envision a much larger operation?

MR. PERRY: If we were to revert back to an interim period we would have to consider that in a different light.

MR. JOSEPH: I think that is right.

MR. NICKERSON: What reason is there that a prospectus would have to be issued? What objection is there to making negotiated arrangements with the town? Are there technical reasons?

MR. JOSEPH: I don't think I can give you a very lucid answer; it boils down to the fact that it is a public property. Long standing Departmental policy when there is property to be used or disposed of dictates that competitive bids be sought.

MR. NICKERSON: Between private enterprise, but here you are dealing with two governmental agencies.

MR. MALCHMAN: Are there limitations to public use permits in terms of time?

MR. JOSEPH: This is a method administratively recognized by Congress but with definite limitations of time, because no one in the Executive Department of the Government has the authority to turn over the use of Government property to anyone without a time limit, because that would be giving over government property; so anything from the Executive Department must be limited to time.

MR. NICKERSON: The prospectus - would that have a requirement that the golf course would be available for anyone wanting to play on it?

MR. JAMISON: Yes. Open to the public.

MR. JOSEPH: It follows the normal pattern, providing for use without discrimination.

MR. NICKERSON: It seems that if there is a way to accommodate them if the town wants it, it would be very desirable for them to be permitted to operate. The minute you put it in the hands of an independent party for personal profit you are depriving the town of taxes, and also of putting in a golf course outside of the Park because you are providing competition difficult to meet.

MR. MCNEECE: I take it this is the first you have heard of the proposal for a Special Use Permit?

MR. PERRY: It was our recommendation that it would be a Special Use Permit for two years and the town to have an arrangement in 1969.

MR. JOSEPH: Call it what you will, it was an arrangement to keep the course in operation in 1968 and 1969.

MR. MCNEECE: You would still want to do this?

MR. CARLETON: We would like to stand by this.

MR. JOSEPH: Jack (Carleton), I think you appreciate from what you have heard that I am with you on it, and I have already sent it in because it will be reviewed in the Director's office whether they go for it or not.

MR. MCNEECE: If they don't go for it it would be just a matter of going forward with the other, two years from now.

MR. PERRY: This prospectus calls for interim arrangements for 1968 and 1969 and a permanent arrangement in 1970.

MR. JOSEPH: I assume this interim operation is on the basis of a possible 20 year contract without bids, but there is no way I can say this can be done without misleading you. The question of the length of term will even depend on what you have to talk about because it will be envisioned by the length of time it would take in which to get your money out of the operation.

MR. NICKERSON: Does the National Park Service have any concessions which are contracts with municipalities?

MR. JOSEPH: I think that was asked before, but to the best of my knowledge, no.

MR. NICKERSON: So this is a whole new concept.

MR. JOSEPH: And if you think of it in this way, and we all get behind it ...

MR. NICKERSON: There is no profit motive involved. It would enable the town to get some income in lieu of its loss of taxable property within the Seashore.

MR. JOSEPH: This is a factor, and is a very real point in connection with all of the Seashore towns. In this case it would be of benefit to Truro. There are efforts however, well known to everybody, through legislators who are willing to introduce legislation to provide for payments in lieu of taxes; not necessarily for the Seashore and the National Park Service areas, because of the impact of Federal action on the town and it would be highly appropriate to become students of that too, and I have informed some town Selectmen.

MR. NICKERSON: This is a concept that would help the economy of a town dependent on tourists to a considerable extent.

MR. JOSEPH: I think it has everything to commend it and that is the reason I have recommended it twice.

MR. NICKERSON: This should not be compared to an ordinary prospectus when you are considereing concessioners who are in the business for profit.

MR. JOSEPH: That is well said and I am glad you have said it. I think it would be well in view of the past history when you wanted to go from 9 to 18 holes to call attention to this. I have already sent

word down to please get this in the Master Plan.

MR. MCNEECE: Provincetown was desirous of that also. Isn't this being too tough when you say for 20 years you want 9 holes? You might want an extra 9. Isn't that a possibility? In other words you are saying that there shall be nothing but a 9 hole course there for 20 years.

MR. NICKERSON: As a practical matter at the end of 10 years you could re-negotiate.

MR. JOSEPH: It is practically stated in the body of manuals and the law concerning concession operations which would apply in this case. I can't tell you all that would apply but if there were new emphasis it would call for re-negotiation in length and any other difference which would not be necessarily a limit.

MR. NICKERSON: It would work to the effect you couldn't take it away, but could add.

MR. JOSEPH: Yes. If you look in the history of the concession management guides we use you will find that a successful operator who has done a good job and who has the interest of the public in rendering good service is given preferential consideration when it opens up. Beyond that there is no guarantee he will make money or be renewed, but as responsible people you would take into consideration those factors.

MR. MALCHMAN: If it does develop that there is no other way to handle other than on a bid basis would the town of Truro be willing to bid on

that kind of a basis?

MR. PERRY: I feel we would be at a disadvantage because we would have to signify what our bid would be before the bid was made.

MR. MCNEECE: I don't think the town can bid.

MR. JOSEPH: Mr. Diehl said at the last meeting authority would be necessary, but he thought it could be obtained.

MR. MCNEECE: Through special legislative authority.

MR. NICKERSON: The question was raised whether you could bid competitively or not. I think that was the point. Leo (Diehl) said you would need legislation and you would have to have the vote of the town on how much to bid.

MR. MALCHMAN: Isn't there a clasuse "in the best interest"? It doesn't have to be the highest.

MR. JOSEPH: You will find also when you examine the body of practice that has been addressing it self to providing private business an opportunity to render service in the Park that basically the special authority of the Service is contained in a law of 1930 which says that you must have the contract in writing but you can do it without bids. In connection with the practice of dealing with large enterprises and various businesses both large and small there has been uniform long standing policy that the prospectus would be issued inviting offers.

MR. NICKERSON: This regulation was designed to choose between several private bidders - private enterprise; but here we have a different situation. This is not a private enterprise it is a municipality in

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the interest of the community as a whole, not in the interest of any individual or corporate body.

MR. MCNEECE: We are supposed to consider this from the standpoint of what is best for the interest of the American Public and if we feel that to serve that purpose best the golf course should be operated, and apparently that is the way we feel, why don't we make such a recommendation based upon and because of the exception you point out; that it might be getting away from long established policy but it is unique in the history of such negotiation; and that itself should be sufficient cause for giving this special consideration.

MR. JOSEPH: There are two things; first you should say something about 9 holes or 18 holes, and second something along the lines you mention, if this is the sentiment of the group.

MR. CARLETON: This would benefit Provincetown wouldn't it?

MR. MALCHMAN: Yes, it would. In fact the Town Manager, who doesn't have the authority to do it, said that he couldn't see any objection to Provincetown and Truro joining; but of course he cant do this without the favor of the town meeting. This is just his opinion. There is a very strong sentiment in Provincetown for continuation of the golf course.

MR. JOSEPH: The fundamental thing is that this is unlike any present concessions, it is a unique situation; you are not choosing between individuals.

MR. CHASE: Truro is entitled to it as a town because of what has happened to them through the Seashore. It would assist the economy

of Truro and Provincetown, both are classed as distressed areas. A very important factor is that this would add to the economy of the town.

MR. MALCHMAN: Would it be helpful when we address ourselves, whether or not we take a formal vote, if we advance the thought that the Commission has no desire to say that the present leasing policy change, we are happy with it as it stands now; but rather than see it change and set up a precedent for opening this concession to bidding we would prefer to explore other avenues?

MR. NICKERSON: They have already had competitive bids for two motels.

MR. JOSEPH: They were decided on the basis of a prospectus; and now you understand the difference between a prospectus and competitive bids designed to give public notice.

MR. NICKERSON: This is not a private enterprise.

MR. MALCHMAN: I was trying to strengthen the argument looking at it as a municipality as against private enterprise.

MR. NICKERSON: Do we need any further resolution today?

MR. CARLETON: I would like to see a vote upon it. A favorable vote.

MR. MCNEECE: That brings us to the point of having something to vote on. I don't think we can put into words what I think you would like to convey to Philadelphia. If you are satisfied with what is on the record.

MR. JOSEPH: My problem is to collect these things. It is scattered over quite a little bit of written material; there is scarcely time for me to get this before I go to Philadelphia, and I have to wait until your Minutes are reviewed in Washington.

MR. NICKERSON: Perhaps you would like to have a vote - something to the effect the Commission urges that if possible effort be made to negotiate a contract with the town of Truro for the operation of the golf course without mentioning whether it is 9 or 18 holes, 20 years or what.

MR. CARLETON: A vote wouldn't do any harm would it?

MR. JOSEPH: It would explain your sentiment as clearly as possible.

MR. NICKERSON: We want to say we urge very strongly that the Park Service negotiate with the town of Truro a contract for the operation of the Highland Golf Course. Make it as simple as that.

Mrs. Wiles makes the above as a Motion which was seconded by Mr. Carleton and VOTED unanimously.

MR. MALCHMAN: Would it help if we got you a letter from Provincetown?

MR. CARLETON: I think so.

MR. NICKERSON: The fact that these two towns are in the area and it would be a contribution to the economy of the towns.

MR. CARLETON: Is this anything we should talk to Congressmen or Senators about?

MR. NICKERSON: I think that decision is up to the towns. I don't think the Advisory Commission should try to bring political pressure

to bear on the Park Service. I think it is up to the Selectmen to do that.

MR. JOSEPH: I think it is fair to state that the matter has been discussed with Congressmen by informal contacts. I note they are aware of certain phases of it; I don't know through what contacts. They are interested in all phases of commercial operations and I have furnished a summary of this type of information to a Congressman at his request.

MR. NICKERSON: I can see where Provincetown might get involved in this; you might wind up with negotiating with two towns.

(MR. PERRY LEAVES THE MEETING)

MR. JOSEPH:(continues with Progress Report) A highly tentative plan has been prepared by the Design Office showing a possible layout of facilities at the Highland Light area. However, inasmuch as available funds for developments in that area are scheduled for transfer to the South Wellfleet beach if the program change is approved for the latter, no active consideration is being given to the Roads and Trails project in the Highland Light area. The golf course is being handled as a separate subject. In addition it is proposed that the Agenda for the next meeting include a review of the commercial operation at the Highland House so that advice of the Commission may be received as to the future of this operation. The advice of the Commission will also be sought with respect to the request of the Truro Historical Society

for the use of one of the buildings in the area. Furthermore some discussion and negotiation with the town of Truro may be required inasmuch as the access road and parking area are owned by the town. Any plan reviewed at this time would be based primarily on the over-all conception of how the terrain and facilities might work out most suitably when funds are available; but modifications in the plan might be required due to decisions on the golf course and the Highland House and related buildings; and in addition the question of whether or not some of the improved properties immediately adjacent to the south side of the access road will be offered for sale to the Seashore. The different ownerships and operations in the area are such that it is difficult to single out any specific action that should be taken without looking at the direction in which the whole area is headed so far as appropriate use is concerned. From experience this past year it would appear that various interests may have a variety of counter suggestions or offers to make which will be difficult to inject into the whole situation, particularly if they involve operations of a commercial nature, which should be rechecked with the Advisory Commission. Accordingly, at this stage I would like the benefit of your advice as to the following actions that might be taken by the Seashore pending your review of the commercial aspects of the Highland House at a meeting next month or as soon thereafter as is practical. (It should be fully understood by all concerned that my actions will be exploratory in nature and will be subject not only to the advice of the

of the Commission, but also to review and approval of the Regional Director; and if land exchanges are involved, of the Director; who may require additional information before making the decision to approve or disapprove any plan.)

1. Accept and purchase if offered, any of the improved properties immediately to the South of the access road. (Informally, the first 4 of these properties may be available for sale, but the easterly one is not anticipated to be available.)

2. Depending upon the presentation made by the town of Truro with respect to the golf course the Advisory Commission may wish to make a specific recommendation that interim arrangements be made for operation of the golf course in 1968 and 1969. If such an arrangement were made all permits or Suspension of Condemnation Certificates would terminate simultaneously at the close of 1969 with the exception that Messrs. Colliano and Hastings believe that they own an improved property on the site of the Jobi Shop, and informal discussion with the Truro Planning Board has indicated that they feel likewise; whereas a letter from the Seashore dated February 14, 1964 advises Messrs. Colliano and Hastings to apply for a Certificate of Suspension of Condemnation for commercial or industrial property for the Jobi Shop since at that time it was considered not to be an improved property. This must be resolved.

3. That the Seashore consult with the town Selectmen about the town owned lands and the position of the town as to the status of the

Jobi Shop. It is considered imperative that the town be represented with one voice through the Selectmen, regarding any of these matters, who would be asked to resolve any questions presented by various bodies or individuals so that the Seashore and Advisory Commission will have a unified body of facts upon which to make their respective determinations. This is exactly what I am up against.

MR. CHASE: It seems to me a good idea if this Commission goes out and views all this; we can't do it from sitting here.

MR. NICKERSON: I think before we give any advice on this subject we must look at the land. Am I right in thinking the first tee of the Highland Golf Course is on the doorstep of the Highland House?

MR. JOSEPH: Yes, practically. I had that in mind, and I suggest a field trip.

MR. CARLETON: I think that is right too because you will learn a lot when you see it.

MR. NICKERSON: You can't make much of a decision until the golf course is resolved.

MR. JOSEPH: Others may ask for your decision before the golf course is resolved, but I will keep working on it.

MR. GOODALE: Seventeen (17) options were negotiated covering ninety-five (94) acres. Of these one was an offer to convey an easement. A total of six hundred seventy-one (671) options, covering eight thousand two hundred and forty-seven (8,247) acres, have now been secured. There were three (3) closings, whereby title to ten (10) acres passed

to the United States. This brings the number of closings to four hundred and seventy-three (473), giving the Government title to six thousand one hundred and seventy-three (6,173) acres through negotiated purchases. Thirty (30) appraisal reports were completed and seven (7) were assigned. The team of auditors from the General Accounting Office in Boston, which has been conducting an audit of the land acquisition records since the last week in September, held its exit conference on Thursday, January 26. The proposed exchange of land with the town of Eastham for a school site is still in Washington being reviewed. Additional information which was requested by that office in connection with the review has been furnished. We have just been notified that the exchange has been given approval in principle.

MR. NICKERSON: What did the Auditors have to say?

MR. JOSEPH: They were reasonably satisfied; they think a reasonably good job has been done. They were inquisitive about how much money will be involved to finish up the program. I personally discussed problems which they brought up. I feel strongly they are satisfied with the program to date.

Item 5. Commercial/Industrial Condemnation Suspensions

MR. JOSEPH: As I reported before, we wrote letters to all of the holders of Suspension of Condemnation Certificates. This is only one of three categories of commercial property in the Seashore. We have received replies from Messrs. Currier, Francis, Shaw and Czyoski.

MR. CHASE: At the Spar Shop they are using that as a residence.

MR. NICKERSON: Wouldn't it be best to include these in our field trip?

MR. JOSEPH: Yes. Arthur Joseph who operates a sand pit and does not have a permit was in to see us. He was advised to apply for a permit. Two of the people who came in to see me have stressed they would like to know what is going to happen because they want to carry on their operations as businessmen. Another factor is that Congressman Keith's office asked us for information on commercial facilities and he did it through the Regional Office. Extensive information has been furnished listing the various enterprises including the Salt Pond and Nauset Knolls Motel and the two soft drink stands and those under Special Use Permit like the Highland House; there are a number of commercial operations which will require review by the Commission other than the Suspension of Condemnation Certificates on Commercial or Industrial property.

Item 6. Shellfishing - Great Island

MR. JOSEPH: The recommendation of the Commission made on December 2, 1966, together with all available information bearing on the subject was reviewed in this office and in the Northeast Regional Office. We are deeply concerned with the shellfish situation in Wellfleet, and sympathetic to the desire of the town to re-establish this characteristic activity and resource. It is suggested that the town of Wellfleet be requested to present a formal professional plan, with the assistance

of the Commonwealth, if desired, showing that limited off-season vehicle access is necessary to collect spat, establish seed beds, and whatever else is needed to improve and perpetuate the shellfishing. With an agreed management plan of that type we are certain that we can arrange with the town for approved trips along the East shore of Great Island; however, pending the installation of such a plan there is no alternative than to deny the request to make the easterly shore available for vehicles as recommended and to reconsider the recommendation when the Town completes its study and plan for shellfish management. By following up on informal discussion with the town Selectmen we will try to evolve a procedure to take care of access for shellfishing purposes, under the direction of the town as contemplated in the Act without creating the possibility of being charged with discrimination if other proposed use by vehicles is denied. This afternoon I received information that this is confirmed by our Washington office as well as our Regional Office. And in addition in today's mail I received from the Wellfleet Selectmen the following letter signed by Douglas Park and Henry Atwood:

SHELLFISH REGULATIONS TOWN OF WELLFLEET
MOTOR VEHICLES - SHELLFISHERMEN - GREAT ISLAND
Special permits will be issued by the Board of Selectmen for the use of Motor Vehicles by Shellfishermen having grants or harvesting other shellfish on the shores and in the waters off Great Island, easterly side only, to Middle Meadow.

Use of this privilege will be governed by the conditions of the harbor and under the close control of the Shellfish Warden. Those obtaining this permit will be required to endorse regulations and

specifications pertaining to areas and paths of travel prior to the issuance of said permit. Any deviations from these regulations and/or specifications will result in the loss of permit and/or a penalty not to exceed $20.00.

s/t Henry C. Atwood
s/t Dcuglas C. Park
BOARD OF SELECTMEN

I appreciate receiving this from the Selectmen, and I had no previous specific knowledge of this particular form of proposal. I know from representations that the town has certain plans with regard to development of oyster beds and shellfish grants. Commercial and individual use should be considered and formulated and set forth in some comprehensive plan by the town, and if that is done and filed with us and properly brought back to the Advisory Commission in a comprehensive manner like the golf course proposal, then there will be very little problem. Lacking that material I don't think we have the basis for stating that any plan requires specific vehicle access.

MR. NICKERSON: What they are concerned with is the camel getting his nose in the tent as far as vehicle access is concerned.

MR. JOSEPH: There is no question about this; and if you want to know, others have written to the Secretary's office who are strongly opposed. They want to go too, and whatever is done will have to be done in an orderly fashion, not only by the Commission and the Seashore but by the Town. If they are willing and want my suggestions I will tell them were to go to get the State men to help and to make this study. If that is done there will be no problem.

MRS. WILES: And that is that. I am sure Wellfleet is going to feel this is discrimination if it is strictly for shellfishermen; they don't feel they bring enough money to the town to have an area just for themselves.

MR. JOSEPH: We are not talking about commercial shellfishermen.

MRS. WILES: I thought so by the letter. That bars everyone else.

MR. JOSEPH: It says: "or harvesting other shellfish". The letter mentions commercial, the regulation does not.

MRS. WILES: I know the people of Wellfleet are going to resent that. "Commercial" should be stricken.

MR. JOSEPH: That is the reason for dealing with one source.

MRS. WILES: It may be, but I don't think it is in the best interest of the town; I think it is discrimination.

MR.NICKERSON: You wouldn't if they granted it for all shellfishing?

MRS. WILES: It is a very rich area; people like to go there.

MR. NICKERSON: Everyone may who has a permit.

MRS. WILES: You have to get a permit. It did say "grants" I don't think that is fair.

MR. JOSEPH: I keep going back and keep trying to resolve these matters. I hope I am demonstrating I am being as fair as possible.

MR. NICKERSON: I think the Park Service has taken a very reasonable position. The town must produce real paper work to give your office something to work on.

MR. JOSEPH: It is a very delicate matter; I am willing to work on it to any extent; even greater than now.

MR. NICKERSON: I should think you would inform the Selectmen of this discussion. This doesn't provide what you asked for.

MR. JOSEPH: We want to keep the best possible relationship. I have declined to discuss any of the details until I brought this back to you.

MR. NICKERSON: I think it is up to the town to provide the format that the Park Service has requested. The objectives which they are concerned with is not opening the dike to other people using the vehicle route.

MR. JOSEPH: We are perfectly willing to consider means of access for shellfishing.

MRS. WILES: It seems this is just as important to the economy of Wellfleet as the golf course is to Truro.

MR. NICKERSON: This is true; it is up to the Selectmen to come up with something the Park Service can work with.

MRS. WILES: You will find we have a Shellfish Commission and they want to keep it for themselves and that is why this. I feel that they are looking out for themselves and don't give a hoot about anyone else.

MR. JOSEPH: I am still looking to the town and I believe I have to get a detailed, formal document representative of the town. I will tell the Selectmen what goes on here and show them a copy of the report. I am here to give all the help in the world if they want it. We will

advise if they want it. I think they have ample means to get it from the State if they wish.

Item 8. Provincetown Airport Bicycle Rental Service

MR. NICKERSON: Can we put anything over until the next meeting, we are running out of time here.

MR. JOSEPH: I think you should have a presentation by the Town representative if they want to forcibly make the pitch they desire. Shall I ask them to come?

MR. NICKERSON: At the next meeting if they want to.

Item 9. Proposed Scientific Committee

MR. NICKERSON: Let's postpone this report until the next meeting.

Item 10. Agenda Items and Date for Next Meeting

It was established that the next meeting would be held on Friday, March 3, 1967. Possible agenda items could include the two items mentioned above; a morning field trip was suggested to include the Highland Light area and an inspection of commercial sites.

MR. NICKERSON: I hope we can move along on the "Guidelines" so we can have them to discuss. It seems to me you have done very well on these with the exception of a definition of "improved property". If anyone else wants to add anything to the Agenda let us know and we will try and include it.

No further business appearing the meeting adjourned at 4:45 p.m.

IN REPLY REFER TO:

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

Cape Cod National Seashore
Box 428
Eastham, Massachusetts 02642

CERTIFICATE OF SUSPENSION OF CONDEMNATION
OF COMMERCIAL AND INDUSTRIAL PROPERTY

ISSUED TO:

THIS IS TO CERTIFY that the Authority of the Secretary of the Interior to acquire land, water, and other property and improvements thereon situated within the boundaries of the Cape Cod National Seashore by condemnation under authority of the Act of August 7, 1961 (75 Stat. 284), is suspended as to that certain property in the Town of _____, County of Barnstable, Commonwealth of Massachusetts, located and described as follows:

The property covered by this certificate was acquired by the present owner from_____by (deed, will, or other instrument) dated_____, 19__, and recorded in the Barnstable County Registry in Book___, at Page _____.

The authority to acquire the herein-described property by condemnation has been suspended for the reason that continuance of such property in private ownership under existing uses as indicated herein is deemed by the Secretary to be not inconsistent with present plans for the administration and development of the Cape Cod National Seashore: Provided, That such suspension is granted upon the following terms and conditions:

See Schedule "A" attached and made a part hereof.

The Secretary may terminate the suspension granted under this certificate by (1) giving written notice to the owner of the herein-described property if there is a failure to comply with the requirements and conditions included in this certificate, or if any new use or development occurs on said property which, in the opinion of the Secretary, is adverse to or inconsistent with the purposes of the Act of August 7, 1961, supra; or (2) giving at least three years advance notice in writing to such owner or such further notice as may be contained in the special terms and conditions set out above, if it is determined by the Secretary that all or any part of the herein-described property is required for the administration or development of the Cape Cod National Seashore. If after the giving of notice under (1) above the owner continues to subject the herein-described property to the adverse use or development which was cause for issuance of the notice, this certificate will be revoked and, thereafter, the property to which it refers may be acquired by condemnation. If notice is given pursuant to (2) above and after expiration of the period as set out above the reason for the issuance of the notice still exists, this certificate shall be revoked, and thereafter, the property to which it refers may be acquired by condemnation.

This certificate is transferrable upon conveyance of ownership of the herein-described property, but notice of such transfer of ownership shall be furnished the Superintendent, Cape Cod National Seashore, Massachusetts,

IN WITNESS WHEREOF, I have executed this certificate, under authority delegated by the Secretary of the Interior (27 F. R. 6395; 27 F. R. 79[illegible] and 28 F. R. 2750, 2751), this _____ day of _____ 19___.

_____
Superintendent
Cape Cod National Seashore

THE COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss. _____ 19___.

Then personally appeared the above named _____ and acknowledged the foregoing instrument to be his free act and deed before me.

_____
Notary Public - Justice of the Peace

My Commission expires:

SCHEDULE "A"

Reference in this certificate to the "Secretary" shall mean Secretary of the Interior and the term shall include his duly authorized representatives.

This certificate applies only to the acreage reasonably necessary for the normal operation of the business; all other acreage being subject to the provisions of the Act of August 7, 1961 pertaining to unimproved lands.

The premises are to be used in accordance with the provisions and purposes of the Act of August 7, 1961 and all rules, orders and regulations concerning the operation of the Cape Cod National Seashore are expressly made a part hereof.

The owner shall comply with all applicable laws, ordinances and regulations of any municipal, county, state or federal authorities pertaining to the use of said premises including construction, sanitation, licenses, permits to do business, zoning, labor laws and fire regulations or recommendation.

The owner shall not conduct business so as to interfere with the use of public access routes, highways, public parking areas, public landings or beaches.

The owner shall permit the Secretary to enter into and upon said premises at all reasonable times for the purpose of inspecting the same to determine that the provisions of this certificate are being complied with.

The owner shall not make any alterations or additions to the existing structures without prior written authorization from the Secretary.

The owner shall not operate or permit to be installed or operated any device, or conduct any activities on the premises which are contrary to good morals, or are otherwise objectionable.

This certificate is granted for the term beginning 1964 through December 31, 1968 unless terminated in accordance with the provisions hereof.

This certificate may be reviewed at the end of a three year period for consideration of an extension.

CAPE COD NATIONAL SEASHORE
SOUTH WELLFLEET, MASSACHUSETTS 02663

GENERAL INFORMATION

FISHING

Fishing at Cape Cod National Seashore is in accordance with Federal, State and local laws. However, no license is required for salt water fishing.

Fresh Water Fishing

Rainbow and brook trout and warm-water sport fishes live in a number of fresh water ponds within the Seashore area; marine fishes are taken by surf fishing or deepsea trolling in adjacent water.

Salt Water Fishing

Surf casting for salt water fish is a popular sport on Cape Cod. Fishing seasons run generally May through October for the below listed species:

Striped Bass
Bluefish
Mackerel
Cod
Flounder

Appropriate Mass. and/or town license is required for fresh water and shellfishing. Information on shellfishing may be obtained at the Town Hall in the respective area concerned.

For more detailed information on fishing we suggest you write to the Cape Cod Chamber of Commerce, Hyannis, Massachusetts 02601. (Telephone Area Code 617 362-3225)

SWIMMING

Lifeguard services are provided at the below listed beaches from 10:00 A.M. to 6:00 P.M. seven days a week from the middle of June through Labor Day.

Beach	Facilities Available
Coast Guard Beach, Eastham	Comfort Station Bathhouse
Nauset Light Beach, Eastham	Comfort Station Concession Stand
Herring Cove Beach, Provincetown	Comfort Station Bathhouse Lockers Concession Stand
Race Point Beach, Provincetown	Comfort Station Bathhouse
Head of the Meadow Beach, North Truro	Comfort Station Bathhouse

WATER AND AIR TEMPERATURES

The outer beach of Cape Cod is bathed by the chilling Labrador current with cool water temperatures prevailing. Comparative data taken at various swim beaches over several seasons is listed below:

	Nauset Light Beach		Coast Guard Beach		Herring Cove Beach		Race Point Beach	
	Water	Air	Water	Air	Water	Air	Water	Air
June (½ mon.only)								
Average temperature	53	74	54	76	60	74	57	75
Maximum "	60	85	59	86	64	82	62	87
Minimum "	45	60	49	61	58	60	50	66
July								
Average temperature	58	76	58	77	63	77	56	78
Maximum "	67	90	67	88	71	98	64	88
Minimum "	49	60	49	64	50	68	50	74
August								
Average temperature	56	75	58	76	63	79	59	75
Maximum "	62	90	79	88	66	90	64	86
Minimum "	49	60	51	62	59	70	54	74
Sept. (Labor Day Weekend)								
Average temperature	56	71	58	70	61	73	60	68
Maximum "	62	75	62	80	65	85	62	80
Minimum "	48	65	48	62	60	62	58	64

A water temperature of 45° is very cold water. Fifty-five to 60° water temperature is comfortable swimming temperature. Water temperatures in any of the above mentioned areas can change 5° to 10° in a matter of an hour or two. Water temperatures at Herring Cove Beach run a few degrees warmer as it is on the bayside of the Cape. There is no surf at this beach.

SURFING

A special surfing area has been set aside at Coast Guard Beach in Eastham with a lifeguard in attendance from 10:00 A.M. to 6:00 P.M., seven days a week. Surfing is also allowed off the protected beaches in other areas of the Seashore.

CAMPING

There are no Service-operated government campgrounds at Cape Cod National Seashore at the present time. However, there are three privately operated campgrounds within the authorized Seashore boundary as listed below:

Horton's Park - South Highland Road, North Truro, Mass. 02652
Phone: Area Code 617 487-1220

North of Highland - Head of the Meadow Road, North Truro, Mass. 02652
Phone: Area Code 617 487-1191

North Truro Camping Area - Highland Road, North Truro, Mass. 02652
Phone: Area Code 617 487-1847

A large State-owned campground is located in nearby Brewster, Mass. at Nickerson State Forest Park. Phone: Area Code 617 896-3611. Reservations are not accepted at this campground. Camping is on a first come, first serve basis.

Camping is not permitted within the Seashore except in designated privately operated campgrounds.

During July and August it is suggested that reservations at any camping area be made well in advance.

In addition to the above listed camping areas, there are several others in towns adjacent to the Seashore. We suggest that you write to the Cape Cod Chamber of Commerce, Hyannis, Mass. 02601 for information concerning the proper address of many different privately-owned camping areas that are available throughout Cape Cod.

PICNIC AREAS

There are two designated picnic areas within the boundaries of the Seashore. One in Eastham on Doane Road and the other at Pilgrim Springs in North Truro. The picnic area on Doane Road has picnic tables but no open fires are permitted. At the Pilgrim Springs picnic area there are picnic tables, grills and a comfort station.

BICYCLE TRAILS

There is an 8 mile bicycle trail located in the Province Lands near Provincetown which will be open for use the summer of 1967. Bicycles may be rented in Provincetown at private concessions.

HORSEBACK RIDING

There are a series of marked bridle paths located in the Province Lands area near Provincetown. Mounts may be secured at nearby rental stables.

Additional information on services and facilities available in or near Cape Cod National Seashore may be obtained from the Cape Cod Chamber of Commerce, Hyannis, Mass. 02601.

(For Administrative Use Only)

M I N U T E S

Fifty-fifth Meeting

CAPE COD NATIONAL SEASHORE ADVISORY COMMISSION

AT

Headquarters, Cape Cod National Seashore

March 3, 1967

AGENDA

CAPE COD NATIONAL SEASHORE ADVISORY COMMISSION

Fifty-fifth Meeting

March 3, 1967

Item	Subject
1.	Adoption of Agenda
2.	Approval of Minutes of Previous Meeting
3.	Communications Received by the Commission
4.	Progress Report - Cape Cod National Seashore
5.	Commercial/Industrial Condemnation Suspensions
6.	Proposed Scientific Committee
7.	Agenda Items and Date for Next Meeting
8.	New Business

The fifty-fifth meeting of the Cape Cod National Seashore Advisory Commission was held on March 3, 1967 at the Administration Building in the Marconi Station area, South Wellfleet, Massachusetts following a morning field trip to the Highland area in Truro.

The following members were present at the meeting:

MEMBERS:	Recommended by
Joshua A. Nickerson, Chairman	Barnstable County
Leo E. Diehl, Vice Chairman	Secretary of Interior
Robert A. McNeece, Secretary	Town of Chatham
John W. Carleton	Town of Truro
Ralph A. Chase	Town of Eastham
Esther Wiles	Town of Wellfleet
Robert L. Yasi	Commonwealth of Mass.

OTHERS: National Park Service, U. S. Department of Interior

George H. Thompson	Acting Superintendent Cape Cod Nat'l. Seashore
Norton M. Bean	Chief Park Ranger, CCNS
Lyndell Baldwin	Secretary, CCNS

Absent Commission members were: Josiah H. Child, Arthur Finlay and Nathan Malchman.

The meeting was called to order at 1:30 p.m. by Chairman Nickerson.

Item 1. Adoption of the Agenda

It was moved by Mr. McNeece, seconded by Mr. Chase and VOTED to adopt the Agenda as printed.

Item 2. Approval of the Minutes of Previous Meeting

Inasmuch as the Minutes were distributed at this meeting it was Moved, Seconded and VOTED to defer action until next meeting.

Item 3. Communications Received by the Commission

MR. NICKERSON: Does anyone have any communications to report?

MRS. WILES: I haven't; but in a way I have; after the refusal of the Park to let the east side of Great Island be opened up from November to April, I took it upon myself to write to Senator Kennedy and told him I wished he would investigate and see if he could use any influence to open up that side of the Island for shellfishing purposes for the Winter months because I didn't think it was unreasonable to request this and felt it was giving the park a very bad reputation. As Mr. Thompson can tell you he went before the Town Meeting and got turned down flat; that was because they feel the Park has no interest in the welfare of the people - it certainly wasn't reasonable. (Reads reply to letter. No copy furnished recorder.) I wonder if it wouldn't be a good idea if this Board did write to Senator Kennedy and say we thought the Park was unreasonable in not granting that permission. It is up to you folks; but I don't know why it would be out of order to do that. After all he is our representative.

MR. CHASE: It seems we are here to advise; perhaps not work for action from the politicians. That is my feeling.

MRS. WILES: Our advice doesn't amount to as much as it should; especially when we are on the ground and know what the conditions are, and they don't know. I don't think . . .

MR. NICKERSON: It has been suggested we take a position and write. Do any other members of the Commission have any thoughts?

MR. MCNEECE: We have been all through this and we came up with a recommendation which we made through the proper channels; that it be opened to shellfishing not only commercial but others, and as I understand it the National Park Service has practically said this is fine; but we would like to have it in writing, showing a program which will indicate that the town has embarked on a program of shellfish propagation and cultivation; in other words they want something to hang their hats on. Can't you get the Selectmen to get someone to draw up a plan?

MRS. WILES: Do you know how much that would cost? $10,000.

MR. MCNEECE: You can get the Division of Marine Fisheries to do that for you. It doesn't have to be anything elaborate.

MRS. WILES: They have voted $300 for a survey of these beds and I don't know why that would not be sufficient.

MR. MCNEECE: That is a part of it. Fill in the rest of the area where family permits would apply and you would arrive at a propagation area. You have to have plans anyway before you can issue grants. The town must have those. If they take those as a beginning and fill in the rest and accomplish this plan saying this is what we propose to do in this area here . . .

MRS. WILES: The sad part of it is if Mr. Gibbs had put that gate back where it should be we wouldn't have any controversy. He just

didn't choose to do it, that is all.

MR. MCNEECE: If your Selectmen will just take this up with Stan (Joseph) and say if we do so and so, will this fill the bill, I think you can work this out.

MR. NICKERSON: I think that the chances of being able to accomplish this are excellent; but they have to have some formal plan on which to work; some kind of a document. There is one aspect of this subject I would like to comment on. I think it is not a proper function of this Commission as such, to influence or get our legislators in a partisan position in relation to the activities of the Seashore. If we just do this as individuals that is one thing; but it seems inappropriate to offer our advice and when we don't get our way go to the politicians and put pressure on the Service to follow our advice.

MR. MCNEECE: Didn't we go on record as favoring this.

MR. NICKERSON: Yes. I think Mr. Joseph came back with a reasonable proposal. Without something definite they couldn't, but they made a suggestion and left the door wide open. There is no formal action before the Commission in this connection.

MR. MCNEECE: In Chatham we have these grants all shown on a plan, and . . .

MRS. WILES: These are too.

MR. MCNEECE: As I said before if the town were to take those grants and continue and draw that plan around the shoreline where you have

shellfishing operations and simply designate the rest of this area outside of the grants as an area where there is propagation, etc., give the rules that apply and what the town plans to spend over the next period of years on this program, and what the town may expect in State aid; and you should be getting State aid; that is the sort of thing . . .

MRS. WILES: I hope you are right but I think you are wrong.

MR. NICKERSON: They told us there were nineteen laid out; the day we were down they showed us a plan with nineteen in this particular area. As I recall we were told two had been granted.

MRS. WILES: I think they are trying to transfer some of these grants over to that area; they are in the process.

MR. CHASE: Since we had that meeting at Great Island I read of two or three hearings they have had at Wellfleet for grants. I don't know what location they are in but I read in one paper that they did grant both. Evidently they are working and people are interested in obtaining grants there and in propagating oysters.

MR. NICKERSON: Any other communications? I have a letter from John Jackson who was the former Administrative Assistant to Senator Saltonstall and now is in Congressman Keith's office - apropos the Ballston Beach situation, enclosing a statement from Mr. Frank Melvin of the Washington office of the National Park Service. Let's take it under the heading of "Communications", I will read you the statement.

(Reads) "In reply to your inquiry on behalf of Mr. Freeman F. Dodge concerning a proposal that the town of Truro acquire certain land within the authorized area of Cape Cod National Seashore in order to expand a town beach. Land for the expansion of the beach proper would be donated to the town by a landowner, while additional land for parking would be acquired by purchase or through eminent domain from another owner.

You will recall that both Senator Saltonstall and you were very active in the preservation aspects of the seashore at the time it was being considered by the Congress. In respect to that emphasis, we feel that it would be best for all concerned if we were to pre sent the above subject to the seashore's advisory council for its consideration and recommendations. Upon receipt of its report we would then want to consider the matter in conjunction with the pertinent legislation."

The situation involved at Truro is that at Ballston Beach there is a parcel of town owned land with 100 feet of frontage on the ocean. It lies between the ocean and the cottages privately owned by the Ball Trust. It does not run back beyond the edge of the dunes, just the flat beach. Adjoining this town owned land on the south and extending not over 200 feet southward there is a piece of beachfront land smaller than the first piece belonging to the Ball Trust which we are told the town wishes to acquire. Adjoining the Ball parcel on the south there is another small parcel belonging to a private owner to which the owner has given an easement to the town for public bathing purposes.

MR. THOMPSON: I understand the land itself was donated.

MR. NICKERSON: This is flat beach below range of higher dunes. The approach is from a narrow town lane. It can be by foot but not by

vehicle. Between that and the marsh and Pamet River where one side has been widened to provide a parking place, they propose to acquire more land and widen, so that the total number of cars to be parked there at one time would be not more than 75. This area in question is a very small area, could never be adapted for a major beach in my opinion; land immediately between it and the road is owned by the Ball Trust and I am informed by the National Park Service that this land is now under negotiation.

MR. THOMPSON: I would say it is at a stage where we could come to a final agreement within the next fifteen to thirty days.

MR. NICKERSON: This land of the Ball Trust has on it a dozen shacks which are very shabby looking and are in a particularly bad state of repair; the proposal is that the transfer of land would be made in such a way that the Service would own the land between the black-top and the town beach. Ball would be able to keep his cottages for an indeterminate period. That is more or less the picture. Those of you who saw it perhaps have some definite ideas. We seem to have been invited to . . .

MR. CARLETON: I don't know how to answer that. It is such a small piece of property; as long as Ball runs those shacks he has to have some parking area for people on the other side of the garage and from the garage going back all is parking area. I don't think expanding you could get 75 cars. The parking area with expansion wouldn't hold 60 cars if you used the diagonal parking method here.

MR. NICKERSON: What is the town proposition? Do you know what they want to do?

MR. CARLETON: The town wants to keep their little ocean area if it is possible. It is a beautiful little beach.

MR. NICKERSON: It is beautiful, but it is little.

MR. CARLETON: It is one of our sticker beaches.

MR. NICKERSON: The town has two parcels there which are separated by this piece they want to purchase.

MR. CHASE: This is what I was thinking of. How much are we concerned or is the Park concerned in the purchase of this little piece and enlarging the beach by the other land it will connect with? What is our concern?

MR. NICKERSON: I think if the Park Service had plans for utilizing that beach to make another like Head of the Meadow this might interfere, but since there are obviously no plans, and this is a fragile area it seems it is not the concern of the Advisory Commission.

MR. THOMPSON: May I interject something? In the Master Plan, in the present and I think future thinking, no developments will be undertaken there by the Government due to the fragile situation of the area.The Head of the Pamet River is so close, no development is planned, and it is hoped that every precaution will be taken to protect it from over-use and protect its values. The town has a nice little spot there, but to extend it too far could go into what you might call over-use for that particular area.

MRS. WILES: With the Head of the Meadow I don't think you would have to worry over it. I don't know why we should deny to Truro what they want to do.

MR. NICKERSON: If the town owns the land they can do what they want to do with it so that the Park Service has nothing to say about it.

MR. MCNEECE: Is the Park Service going to buy?

MR. THOMPSON: It is included in the over-all acquisition.

MRS. WILES: Doesn't that foreign woman own all that there?

MR. THOMPSON: That has all been acquired.

MRS. WILES: What are they going to do with the cottages on that?

MR. CARLETON: They are all down. The two that are now there were built after the Act, so the Park Service has the say as to what can be done with them.

MRS. WILES: How come they weren't condemned when they were being built like some of this other property was?

MR. NICKERSON: It seems to me this is the concern of the town of Truro and doesn't concern this Commission at all.

MR. DIEHL: It is a lovely spot and very fragile. I would suggest it would be good to have that turned over to the town unless the Park has plans to develop.

MR. THOMPSON: There is no plan to develop this area because it needs protection to keep it from eroding.

MR. CHASE: I may be - don't think I should make an issue of this - I

am not objecting to it in any way - but how about the town acquiring land within the Seashore? Perhaps the Park people here would like to have our advice on this. I am thinking about Eastham, we have much land in there. Regardless of how this swap of land for the school purposes comes out we have much within the Seashore. I am sure Eastham will want to acquire in some of their future projects in the Seashore; this just isn't going to stop here. Whether you want to meet them one by one if they come up - or is this a policy you are setting.

MR. CARLETON: This is such a small piece. I think the Park is going to own on either side of the town beach.

MR. NICKERSON: I think there is a question of policy.

MRS. WILES: When the Act was passed they said land could be swapped.

MR. NICKERSON: This is unique because the land in question is now privately owned between two pieces of town owned land. If the town acquires it then the Seashore cannot acquire it without the consent of the town. The only redress for the Seashore is to step in and take it by condemnation or other method; so that if there were compelling reasons for the Seashore to protect its interest, then they would have to step in or take it before the town could do so. Once the town acquires it the Seashore can't get it unless the town says so. We haven't had anything like this before. This is land owned privately which a town proposes to acquire.

MR. MCNEECE: Is the town interested in trying to buy it?

MR. CARLETON: Yes.

MR. DIEHL: Someday the towns will turn over all their beaches because it costs too much to maintain them.

MR. CARLETON: When they get smart enough they will.

MR. NICKERSON: If the town wishes to buy it seems bad policy for the Seashore to stand on their rights to acquire.

MR. CHASE: Mr. Thompson, is there any set policy in regard to a thing like this? Does the Seashore have any particular policy?

MR. THOMPSON: I don't think we do.

MR. NICKERSON: This is a question of a town acquiring privately owned land within the Seashore. Once they acquire it the Seashore can't acquire it without the consent of the town.

MR. NICKERSON: Say the town wanted to buy land I owned within the boundary. So long as it is in my ownership the Seashore can acquire.

MR. CHASE: I am wondering if the Seashore can prevent me as an owner of a piece of land from selling it if I want to.

MRS. WILES: You can sell your property; you don't have to sell it to the Seashore - except by condemnation as far as I can see.

MR. CHASE: I don't think there is anything in the Act that covers this.

MR. NICKERSON: I think there is.

(MR. YASI JOINS THE MEETING AT THIS POINT)

MR. NICKERSON: We are discussing under the item of "Communications" a matter in regard to the town of Truro acquiring land in the Seashore

from an owner by purchase. In Section 2 (a) on Page 4 of the Act it says in part: "...Any property, or interest therein, owned by the Commonwealth may be acquired only with the concurrence of such owner."... It doesn't say any property at the time of "enactment", which would say obviously, no matter when the land was acquired it still wouldn't be subject to condemnation. What action do you want to take?

MR. CHASE: I move we go on record as having no objection to the town of Truro acquiring this land. (There was no second to this Motion).

MR. YASI: When you were reading I took it that the view was in the reference you made to the Act, that in the future, after the effective date of the Act, in a town acquiring land, the Federal agency is prevented from using their authority to acquire.

MR. NICKERSON: They can acquire only with the concurrence of the town.

MR. YASI: I think I am trying to make the point that I am not certain of that view; if you do hold that view, then the authority is in the town to set aside the Federal authority after the fact. The question is not a legal one; it may be in the Act as to whether the Act is speaking as of the date of the passage or for all time. I just think this is not the first time this has come up if it is at issue.

MR. DIEHL: If the town is allowed to come in and purchase this,

can they then build on this property if they want to? This is in the Park.

MR. NICKERSON: Let's simplify it; the land the town owns they can build on if they want to. The next step is if the town does not own but subsequently acquires, can they still do it? I think it is academic in this case because no one would be foolish enough to put a building there in the first place.

MR. DIEHL: If the town could go in and build a concession stand on . . .

MRS. WILES: No worse for the town to do it than the Park. They have two hot dog stands in the Park already.

MR. NICKERSON: Should we take any action on this? If so, what would it be?

MR. CHASE: If this is setting a policy, and we are assured there has been no particular policy set; as far as I am concerned I am still in favor of it.

MR. CARLETON: I would like to see it approved. Summer is coming on and we would like to get going. I move with respect to the approximately less than one-half acre piece which the town of Truro wishes to acquire to connect its two presently owned parcels at Ballston Beach this Commission sees no reason why the Park Service should object.

MRS. WILES: Let's dispose of it. I second the motion.

MR. YASI: I would like to make one suggestion without in any way suggesting interference or delay on the action of the town. Could

this Motion be tabled until we get an answer on that question? I think you might be setting a precedent; I wonder if we are really voting in the blind?

MR. CHASE: What is the reaction of Truro's representative to holding it over?

MR. CARLETON: I would like to see it acted upon one way or another, at this meeting.

MR. YASI: Go ahead. I will understand.

The Motion was affirmatively VOTED.

MR. NICKERSON: Would you like to request an opinion as to the interpretation of the Sec. 2 (a) of the Act which provides that property or interest therein of the towns referred to in Section 1 of this Act may be acquired only with the concurrence of such owner? The question is, does this refer to the land owned at the time the legislation was enacted or does it apply to land acquired subsequent to the Act.

MRS. WILES: I think we are making a mountain out of a molehill. They don't go by their own Act. They don't hesitate to come in and take town owned land and condemn it. If they aren't going to abide by their own rules and regulations, I don't see why we should go and ask for explanations.

MR. NICKERSON: We took land that was an Army area taken by condemnation and discovered part was owned by the town. The Park Service is willing to recognize that the taking was in error and outside of the

meaning of the Act.

MRS. WILES: They have a building on some of it.

MR. NICKERSON: What is your position on that?

MR. THOMPSON: A statement came back from Washington that the federal government would revest the town title. That is up to the attorney general. The town has never requested it.

MRS. WILES: What are they going to do about the land the buildings are sitting on?

MR. THOMPSON: When the building plans were drawn the land was in the name of Mrs. A. B. Smith and subsequently taken by tax taking; the husband says now it was a false taking. Part of the maintenance headquarters is on this plot.

MR. NICKERSON: Isn't there a parcel out here involved?

MR. THOMPSON: There are forty-nine acres extending from the ocean to the westward. A helicopter pad was built on part of it by the Army. There was an Article in the Wellfleet town Warrant last week at the Annual Town Meeting requesting an easement across this land in connection with the proposed beach development. It was tabled because there was an amendment to that to the effect it would be granted provided it was a one year easement subject to renewal. As a result of discussions at town meeting; Mrs. Wiles will substantiate this; because the town committee studying lands in the town has about completed their study of land, and at that time they will be ready to discuss town owned land with the government we indicated we would be

receptive to discussing these matters with them at any time.

MR. NICKERSON: This points out difficulties that have arisen from this section of the Act.

MRS. WILES: One reason the town didn't grant this was because they got no consideration from the Park on opening the east side of Great Island. That might have been different.

MR. DIEHL: What about all these titles taken by tax takings? Is this land now in the hands of the town? It is going to continue if people don't pay their taxes.

MR. THOMPSON: It could.

MR. DIEHL: If they decide not to sell to you there is nothing you can do. That is why this opinion is very important.

MR. MCNEECE: This action which was taken at the Wellfleet Town Meeting, does that mean to say we will not be able to have the best access to the beach we are hoping that will be developed?

MRS. WILES: Not necessarily; they expect the plan to be ready within four to six weeks and we will have another town meeting.

MR. MCNEECE: Won't hold it up?

MR. THOMPSON: Just temporarily. Right now we do not have the easement across town land.

MR. MCNEECE: Is that the only access?

MR. THOMPSON: That is the only access within the funds available for building that road and it is the road that will be the permanent road linking Eastham on the South to Wellfleet and Truro.

MR. MCNEECE: I think it would be most unfortunate if that beach development were held up.

MR. THOMPSON: I think so too, and hope when it comes to the final amendment we will be able to work out an amicable arrangement.

MRS. WILES: Wellfleet is tired of being the goat. If the Park is going to try to hold up Wellfleet and give Wellfleet nothing for their land they are going to get in trouble because Wellfleet is getting fed up.

Item 4. Progress Report - Cape Cod National Seashore

MR. THOMPSON: As you know, Mr. Joseph has been confined to his home with a severe case of virus flu and he is hopeful of being released by the doctor to get back to the office next week. I saw him yesterday, he is much better but still very weak.

The Province Lands Roads, Trails, etc., and the Eastham Roads, Trails, etc., contracts are still on Stop Order due to weather conditions but they expect to resume work probably during the month of March.

A meeting was held on March 2 with the Cape and Vineyard Electric Company to discuss the installation of approximately one mile of underground power line at Oceanview Visitor Center site and out to the Race Point Coast Guard Station in Provincetown.

Interested contractors will be shown over the Province Lands Bicycle Trail project today in order for them to estimate the cost for completion of the work and submit bids for this project.

MR. NICKERSON: Is this for the Bonding Company?

MR. THOMPSON: Yes. The Cape Cod Visitor Center Sprinkler Well System contract was put on Stop Order in February; the contract is 98% complete; testing of the system remains to be done as soon as freezing weather is over.

Sketches have been received from the Philadelphia Design Office on fee collection booths and changes in physical facilities needed to institute fee collection at Cape Cod. These are being reviewed with the plan in mind that construction costs will be paid for from this year's construction funds scheduled for other projects which will be deferred.

This work may not be completed in time to collect fees this summer but should be completed so that fee collection can be instituted in 1968 as soon as seasonal personnel come on duty. Also no word has been received to date from our Regional office in Philadelphia for funds we requested to cover operating costs this coming season if the physical facilities are ready by then.

We have received a letter from Mr. Ernest Brooks of the Old Dominion Foundation saying that he was pleased to receive our invitation to come to the Cape, when he intends to meet with the Advisory Commission, and thinks sometime early Spring or Summer would fit his schedule. He will write us later.

We have received a list of names from Jo Child of individuals who have accepted his invitation to serve on the Scientific Committee. You will be interested in hearing their names, they are:

Mr. Wallace Bailey, Ornithologist, Wellfleet Bay Sanctuary,
Massachusetts Audubon Society

Dr. David L. Belding, Shellfish Scientist, Wellfleet, Mass.

Dr. Douglas S. Byers, Director of Robert S. Peabody Foundation for
Archeology, Phillips Academy, Andover, Mass.

Dr. Kenneth O. Emery, Senior Scientist, Department of Chemistry and
Geology, Woods Hole Oceanographic Institution

Mr. John Hay, Brewster, Mass.

Dr. Charles P. Lyman, Assistant Professor of Anatomy; Harvard University

Mr. Ross Moffett, Archeologist, Provincetown, Mass.

Dr. Loren C. Petry, Botanist, Brewster, Mass.

Dr. Hugh M. Raup, Professor of Forestry, Harvard University

Dr. Alfred C. Redfield, Woods Hole Oceanographic Institution

Dr. Ransom E. Somers, Geologist, Brewster, Mass.

Dr. John M. Zeigler, Department of Chemistry and Geology,
Woods Hole Oceanographic Institution

At the Annual Town Meeting in Truro on February 21, an Article in the town Warrant to authorize the Selectmen to take action to acquire by gift, purchase or eminent domain property at Ballston Beach, owned by the Ball Trust, for parking and beach expansion was acted on favorably.

An Article in the town Warrant at the Annual Meeting in Wellfleet on February 28 for the town to grant a right-of-way easement across land owned by the town in the former Camp Wellfleet reservation for an access road to the Proposed Marconi Beach site was postponed. The town committee studying lands is expected to have its report

completed in the near future, at which time the National Park Service and town officials will discuss the matter further.

Eighteen (18) options were negotiated covering fifty-one (51) acres.

A total of six hundred and eighty-nine (689) options covering eight thousand two hundred and ninety-eight (8,298) acres have now been secured.

One (1) closing was completed whereby title was acquired to one hundred (100) acres. This brings the number of closings to four hundred and seventy-four (474), giving the Government title to six thousand two hundred and seventy-three (6,273) acres.

Twenty-two (22) appraisal reports were received and ten (10) were assigned.

Assemblies covering twenty-seven (27) tracts were submitted to Washington requesting final title opinions, bringing the total tracts for which final opinions have been requested to seventy-four.

A condemnation assembly is now being prepared covering all tracts in Block 28, Eastham, which have title defects. It is expected that the material will be ready for forwarding within thirty days.

Additional information has been requested from the title company on ownership of cottages within the Beede tract, Provincetown, Mass., which is desired by the Washington Service Center for use in preparing the condemnation assembly.

MR. MCNEECE: In relation to the land in Eastham have the supposed owners agreed to any sum they would accept?

MR. THOMPSON: Where the owners are known we have reached an agreement.

MR. MCNEECE: Is a certain amount set aside for owners unknown?

MR. THOMPSON: Yes; money will be deposited in the Court.

MR. MCNEECE: I have another question. Is the amount the owners are to receive the fair market value or are they willing to accept less because they are not sure of the title?

MR. THOMPSON: The heirs have agreed to a price they are willing to accept. It is the price we would ordinarily pay if they had a good title. We appriase assuming the title is good.

MR. CHASE: I think when a person comes to me for an appraisal I don't run down his title but base the appraisal on the full and fair cash value for the best use of that land.

MR. THOMPSON: (Continuing the Progress Report) Regarding the Eastham land exchange, we reported at last meeting we had approval in principle from our Washington office on an exchange. We are right down to the wire now and there is a question on one piece of land that is needed for this road construction, taking off on Ocean View Drive on the basis of the best design. There are objections on the part of some of the people in Eastham; one Selectman and someone on the Finance Committee. There is to be a Special Town Meeting Monday night at 9 and if there is still a question it could be postponed until the differences are ironed out. If the towns-people don't want to include it all we would like to work out an

arrangement whereby we will have another access across town land, for this road North.

For the last item on the Progress Report I would like to read you a letter which I think will interest you. The letter is addressed to Mr. Albert Edling, Center Director of the Wellfleet Job Corps Conservation Center, it is dated February 20, 1967 and is from the Office of Economic Opportunity and signed by William P. Kelly Acting Director of the Job Corps; it reads:

"Dear Mr. Edling: We are in the midst of a major effort to bring Job Corps' on-board strength up to our capacity. To meet this goal, nothing is more important than holding our enrollee dropout rate at a minimum. The youth who leaves a Job Corps Center after staying less than thirty days has not profited from his experience and represents an expense to our program which we cannot afford.

During the past six months your Center has compiled one of the best records in Job Corps in this regard. While Job Corps as a whole have averaged a 21 percent loss during the first thirty days, your Center shows a 10 percent figure. We commend you for this and request that you keep up the good work."

I think from that that it appears the Center here has one of the best records of any Center.

MR. YASI: Could it be the environment?

MR. NICKERSON: I should think that would tend to increase the dropout rate.

MR. CHASE: I think the public interest shown by the local people in the Center has lots to do with it. They have thirty or so local people working on a volunteer basis.

MR. NICKERSON: I think so too.

Item 5. Commercial/Industrial Condemnation Suspensions

MR. NICKERSON: These Suspension of Condemnation Certificates cover some of the locations visited on our field trip this morning.

MR. THOMPSON: As of today we have received letters from four holders of these Certificates requesting that their Certificates be reviewed for consideration of an extension. We also have an application from Arthur Joseph of Truro concerning his sand pit operation.

MR. MCNEECE: How many Certificates have been issued altogether?

MR. THOMPSON: Fourteen.

MR. MCNEECE: The others who have not replied don't care?

MR. THOMPSON: Some of them are out of town.

MRS. WILES: Didn't we take care of the Truro Art Gallery?

MR. THOMPSON: We had a request from Mr. Warren Nelson of the North Truro Art Gallery to enlarge and make some alterations which was granted.

MRS. WILES: Well, it stands to reason they wouldn't want to do this if they didn't want an extension.

MR. THOMPSON: We have received requests for review from the following:

Mr. Malcolm S. Currier, North of Highland Inc., Truro

Mr. John T. Czyoski, Mike & Tom's Gulf Service Station, Truro

Mr. Edgar W. Francis, Jr., North Truro Camping Area

Mr. and Mrs. Joseph Hoppel, Vista del Mar Motel, No. Truro

and in addition the application from Arthur Joseph which I mentioned before.

MR. NICKERSON: Have you any specific comments to make about any of these that you would like to make to the Commission? Shall we take them up one by one?

MR. THOMPSON: There is another operation within the Seashore we have never received an application from. That is the CITCO gas station at Pamet Point Road and US Route #6 in Wellfleet. When all commercial operators were granted a one year permit on your recommendation in the beginning, this operation apparently was closed. It was more or less a seasonal operation and we never did get an application from him.

MR. NICKERSON: So he is operating illegally.

MRS. WILES: I know the man very well and I doubt if he realizes his situation.

MR. NICKERSON: Can't we take remedial action?

MR. THOMPSON: I would think if he would write us a letter and state his case.

MR. CARLETON: I would like to get this Arthur Joseph thing settled if possible.

MR. NICKERSON: Our function here is to advise the National Seashore with respect to commercial use; that is what it amounts to isn't it? We drove through the North of Highland Campground this morning; this has been in operation many years. It seems as if it has been run reasonably well. We should advise that they should be extended; particularly since the Seashore is taking the position it is not

operating any campgrounds.

MRS. WILES: Could it be for a longer period?

MR. NICKERSON: I think we should let the Seashore and the owner determine that. I don't think the term is our function at this time.

MR. CHASE: I move that we recommend an extension for the North of Highland Camping area; the motion was seconded by Mr. Carleton and affirmatively VOTED.

MR. NICKERSON: With regard to Mike & Tom's Gulf Service Station, is there any proplem there as far as you are concerned?

MR. BEAN: No.

MR. NICKERSON: This is a well established Gulf Station and has been there for a long time.

MR. CARLETON: They are owned by the Gulf Oil people and leased to local people.

MR. DIEHL: I suggest they do some clean up work and landscaping; it is a mess on that corner.

MR. CARLETON: They would probably be happy to do that.

It was moved by Mr. Carleton, seconded by Mr. Diehl and VOTED to recommend an extension for Mike and Tom's Gulf Service Station with the recommendation that they do a little house cleaning and landscaping, to improve the appearance of the property.

MR. NICKERSON: What about the North Truro Camping Area, owned and operated by Mr. Edgar W. Francis, Jr.? There is no problem there.

MR. NICKERSON: Any problems on the operation of the Vista Del Mar Motel George (Thompson)?

MR. THOMPSON: They maintain and operate the place without any complaints that I have heard of.

It was Moved by Mr. Chase, Seconded by Mr. Carleton and VOTED to recommend an extension for the Vista Del Mar Motel in North Truro.

MR. NICKERSON: What do you think we should do about this application from Arthur Joseph to operate a sand pit?

MR. YASI: How far below the level of the surface is he?

MR. BEAN: He is on a slope on one side . . .

MR. MCNEECE: Don't you have a bylaw about keeping to a number of feet from and liability for any cave in on the adjoining property?

MR. CHASE: It seems that further use won't do anything to hurt the landscape.

MR. NICKERSON: Does his Certificate expire?

MR. BEAN: He has never had a Suspension of Condemnation Certificate.

MR. NICKERSON: What do you think ought to be done from the Park Service point of view.

MR. BEAN: I think he has a big scar there; it can't get worse.

MR.YASI: I don't follow that reasoning; just because there is a scar there now and it can't be greater is no reason that he be permitted to continue.

MRS. WILES: What do they do with it?

MR. NICKERSON: I would think a recommendation he phase out by 1968.

MR. CARLETON: I would think that eventually it would have to be part of the town dump which is getting pretty well filled in. As you now drive by there is very little distance between dump and sand pit.

MR. NICKERSON: How would it be if he were allowed to continue temporarily but the National Seashore make arrangements to terminate as soon as mutually agreeable?

MR. YASI: I suggest that the Park Service be requested to investigate thoroughly. I don't think we would want to give something that was already illegal because of the depth. I am not looking to block this fellow; I am suggesting there is another place he can use instead of making this one worse.

MR. CARLETON: How about making it for a year?

MR. NICKERSON: We have here a letter from the Office of Selectmen, Assessors, and Board of Public Welfare of Truro, Massachusetts dated December 29, 1966 addressed to Mr. Arthur F. Joseph. He has furnished us this copy which is signed by Irving A. Horton, Vincent F. Benson, Stephen R. Perry, Board of Selectmen, Truro, Mass. It reads as follows: "Dear Mr. Joseph: Please be advised that the following can be considered as your permit for removing soil for 1967: Permit for Removing Soil Arthur F. Joseph is hereby authorized to remove soil from his property in Truro under the limitations of the plan drawn by Mr. Francis J. Alves, C.E., dated June 6, 1966 and filed in the Selectmen's Office on June 7, 1966. This permit expires December 31, 1967 unless sooner revoked.""

MR. YASI: Before we make a recommendation on that I would like to have the Park Service investigate without interfering otherwise with the gentleman.

MR. NICKERSON: Obviously he is going to run out of material to mine very shortly. He may be planning to move to another location. Is that satisfactory?

MR. YASI: I move this matter be referred to the Park Service for investigation and report at our next meeting. The Motion was seconded by Mr. Diel and affirmatively VOTED.

MR. NICKERSON: This question may not be under the same category perhaps, because the Highland House situation is somewhat different. As I understand it this property is presently owned by the Seashore. A lease arrangement exists expiring in 1969. Is there a question before us on this?

MR. THOMPSON: The purpose of the morning field trip was to observe the Highland House, its condition etc., formulate your thoughts on what ought to be done with it. Should it remain - should it be converted to some other use . . .

MR. NICKERSON: What the lessee has now as I understand it, is a building 60 years old; the upper floor is used for a dorm for his help, the main floor for a barroom or cocktail bar and eating place. This is smack at the first tee of the golf course. Adjoining is his summer building now used as a pro shop and the question really is how do these two relate.

MR. THOMPSON: Another thing is that Colliano and Hastings, who have the permit to operate, have requested that they be given an opportunity to acquire the property through an exchange for land up near the Highland Light where they now carry on the Jobi Shop. Through the process of exchange they would acquire the interest in the so-called historic Highland House; and the question is, is it of historic significance for one thing; and would it be appropriate to consider the present operators acquiring it in fee. This is a situation I think the Commission should know about and make a determination and pass an opinion on it.

MR. CARLETON: Can't the Park take the gift shop; it is not living quarters.

MR. THOMPSON: The Jobi Shop up near the town parking lot and the Highland Light is the corner we are negotiating to acquire. He has never received a Suspension of Condemnation Certificate on his home because it was felt it was heavier on the commercial than residential therefore he never received a Suspension of Condemnation Certificate as improved property; so that is hanging in the air.

MR. NICKERSON: What is the feeling of the Commission about the Highland House; is it historic? Should it be preserved? It is the opinion of the Park Service we can eliminate the historic factor.

MR. BEAN: If Mr. Child were here he would undoubtedly have something to say on this matter; and we also have a request from the Truro Historical Society for use of a building.

MR. MCNEECE: How does the town of Truro feel about this in connection with the golf course?

MR. CARLETON: It hasn't been discussed too much.

MR. MCNEECE: Is it essential to the golf course, or would it be better if it wasn't there?

MR. NICKERSON: It struck me as a juke box type of entertainment place. I wouldn't think golfers would use it very much.

MR. CARLETON: You would be surprised how many golfers do go in for a drink. That bar is a little gold mine.

MR. DIEHL: What are the arrangements with the people; do the same operators have the golf course and Highland House?

MR. THOMPSON: At the present time Mr. Conklin from whom we acquired the property, with the consideration that he be permitted to continue to operate the golf course for a certain number of years, (that time is running out) has a manager, Tony Duarte, running it. Conklin also arranged with Colliano and Hastings to carry on the Highland House operation for the length of the operation of the golf course plus two years if they wish to continue. But those boys operating the Highland House have made considerable improvements in the interior and they have a pretty good operation there.

MR. NICKERSON: The Park Service owns the property. Is this the sort of an operation the Park Service would like to be judged on?

MR. THOMPSON: The feeling all along is that the Highland House should be removed. When Superintendent Gibbs was here he recommended it

and . . .

MR. DIEHL: We have lived up to the agreement we made with Conklin.

MR. MCNEECE: You would rather not have it in connection with the golf course?

MR. CARLETON: I would rather not and I think the town feels the same.

MR. NICKERSON: What would happen to the liquor license if it went? He could move it to the Jobi Shop couldn't he?

MR. MCNEECE: I don't know what your zoning bylaws are but that would be a factor; should we suggest that it be phased out at termination (of the agreement)?

MR. NICKERSON: I think if I wanted to castigate the Park Service and really do a dirty trick that this would be a wonderful way to make them look awfully foolish if we vote to renew or extend it. Up until now there can't be any criticism.

MRS. WILES: I think at Wellfleet at the Life Saving Station they shouldn't be allowed . . .

MR. NICKERSON: That is different; this is land and buildings owned by the Government.

MR. DIEHL: They have already paid the owners.

MR. YASI: I move at the end of the term the Park Service take over lock, stock and barrel and do what it thinks they should do; that at the expiration of the present authority to operate there be no further extension. Say the Highland House and related structures which would include the pro shop and Millstone and Mayflower cottages.

MR. NICKERSON: Is the pro shop under the golf course or Highland House operation?

MR. THOMPSON: It is not under the Colliano and Hastings lease but under the golf course operation.

MR. NICKERSON: The golf course and Highland House were sold by Conklin to the Seashore; one consideration was that they be permitted to operate for a certain length of time, not running out at the same time; you would let them use the pro shop as long as the golf course operated? Tony (Duarte) is operating the pro shop; perhaps we should clarify this by referring to to those: the Highland House and Millstone and Mayflower, presently leased to Colliano and Hastings; add this to the Motion.

MR. DIEHL: I want to know what the Seashore is going to do in this area before I am in favor of knocking these fellows out of business.

MR. BEAN: We want some expression as to whether you think the Highland House is an historic structure.

MR. DIEHL: I move that the Seashore refuse to renew after the 1969 expiration date, the lease now granted to Colliano and Hastings; it being the intention of the Park Service to remove the Highland House, pro shop and Millstone Cottage upon expiration of the present arrangement.

The Motion was seconded by Mr. Yasi and VOTED affirmatively.

MR. NICKERSON: I have just received a note saying that the Corps of Engineers telephoned to notify the Cape Cod National Seashore and the Advisory Commission that they are planning a meeting on March 14 at 10 a.m. at the Fish and Wildlife Service office in Boston to talk about the Wilderness proposal for Monomoy Island, Pleasant Bay navigational problems and other matters related to the Nauset Beach area. They are hopeful that the Seashore can be represented. Do we want to designate anyone to represent the Advisory Commission?

It was Moved by Mr. Chase, seconded by Mr. Carleton and VOTED to designate Messrs. McNeece and Yasi to represent the Advisory Commission at the Hearing.

MR. NICKERSON: Would it be the feeling of the Commission that the Park Service as such should be represented?

MR. CHASE: I should think so.

MRS. WILES: Is this in the Park?

MR. NICKERSON: They said Nauset Beach and Pleasant Bay; some of these areas extend well into the Park.

Item 6. Proposed Scientific Committee

MR. NICKERSON: Did you have in mind what you wanted to talk about on this? It seems we should postpone until Mr. Child is present.

MR. THOMPSON: Mr. Child furnished us with the list of names which I read to you; they have agreed to serve on the Committee. Other than that . . .

MR. NICKERSON: This Committee has been more or less a creature of the Advisory Commission. Mr. Child has been the one who has acted and Hank (Foster) was interested. Just how it would function in relation to the Park Service and us has never been clear.

MR. MCNEECE: I think this item should be put over until Mr. Child is here. I Move this discussion be referred to the next meeting Mr. Child attends, the Motion was seconded by Mr. Chase and VOTED affirmatively.

Item 7. Agenda Items and Date for Next Meeting

The date for the next meeting was established as April 14.

MR. NICKERSON: We will have the Scientific Committee item, provided Mr. Child is here. Whatever meeting the representative from the Old Dominion Foundation attends, I think we should discuss the possible educational program. We could leave the agenda open and if you have anything you would like to discuss contact either Mr. Joseph or myself and we will arrange to include them.

MR. YASI: There is the matter of off shore oil exploration problems. I am meeting on Tuesday or Wednesday with Secretary Udall. We will be getting right into some close negotiations if you would like to hear about that.

Item 8. New Business

MR. YASI: I would like to say that I spent three days on Cape Cod last month; my first three days off in two and one-half years. I had the pleasure of taking my family to the Cape Cod Visitor Center

for the first time. Every one of us enjoyed our visit. The personnel there were busy the day we visited; I did not identify myself and I want to say that I found them extremely courteous and gracious.

No new business appearing, the meeting adjourned at 4:15 p.m.

(For Administrative Use Only)

M I N U T E S

Fifty-sixth Meeting

CAPE COD NATIONAL SEASHORE ADVISORY COMMISSION

AT

Headquarters, Cape Cod National Seashore

April 14, 1967

AGENDA

CAPE COD NATIONAL SEASHORE ADVISORY COMMISSION

Fifty-sixth Meeting

April 14, 1967

Item	Subject
1.	Adoption of Agenda
2.	Approval of Minutes of Two Previous Meetings
3.	Communications Received by the Commission
4.	Progress Report - Cape Cod National Seashore
5.	Commercial/Industrial Condemnation Suspensions
6.	Proposed Scientific Committee
7.	Report on Exploration of Atlantic Ocean Gas & Oil Reserves
8.	Agenda Items and Date for Next Meeting
9.	New Business

The fifty-sixth meeting of the Cape Cod National Seashore Advisory Commission was held on April 14, 1967 at the Administration Building in the Marconi Station area, South Wellfleet, Massachusetts, with the following Commission members present:

MEMBERS	Recommended by
Joshua A. Nickerson, Chairman	Barnstable County
Leo E. Diehl, Vice Chairman	Secretary of the Interior
Robert A. McNeece, Secretary	Town of Chatham
John W. Carleton	Town of Truro
Josiah H. Child	Commonwealth of Massachusetts
Arthur Finlay	Town of Orleans
Nathan Malchman	Town of Provincetown
Esther Wiles	Town of Wellfleet

OTHERS: National Park Service, U. S. Department of Interior

Stanley C. Joseph	Superintendent, Cape Cod National Seashore
George H. Thompson	Land Acquisition Officer, CCNS
Norton H. Bean	Chief Park Ranger, CCNS
Lyndell Baldwin	Secretary, CCNS

ALSO:

Henry G. McCarthy, Massachusetts Department of Natural Resources

Absent Commission members were: Ralph A. Chase and Robert L. Yasi.

The meeting was called to order at 1:40 p.m. by Chairman Nickerson

Item 1. Adoption of the Agenda

It was moved by Mr. McNeece, seconded by Mr. Diehl and VOTED to adopt the Agenda as printed.

Item 2. Approval of Minutes of Two Previous Meetings

MR. NICKERSON: We did not have the February 10 Minutes far enough in advance of the March 3 meeting to act upon them at that time. You now have had an opportunity to review the Minutes of both these meetings. It was moved by Mr. Diehl, seconded by Mr. McNeece and VOTED to approve the Minutes of the meeting of February 10.

MRS. WILES: In the March 3rd Minutes on page 15, I dont believe I said that the buildings were "sitting" on the land. That should be changed to "setting".

MR. NICKERSON: I notice on page 25 we mentioned the North Truro Camping Area but we did not take any action on recommending an extension.

MR. DIEHL: We agreed that there was no problem there and to approve an extension. I so move; the Motion was seconded by Mr. McNeece and VOTED.

It was then moved by Mr. Diehl, seconded by Mr. McNeece and VOTED TO approve the Minutes with the changes noted.

Item 3. Communications

MRS. WILES: I said I would go and see Mr. Berrio (at the Citgo Station). I did and told him if he wanted to continue his gasoline station he should send in a letter. I don't know that we have heard from him.

MR. JOSEPH: I am not sure that we have; I will go in and see him.

MR. NICKERSON: It was closed down at the time the others were written I think.

Item 4. Progress Report - Cape Cod National Seashore

MR. JOSEPH: Since the last Commission meeting the bylaw revisions adopted by Wellfleet for the National Seashore District and approved by the Massachusetts Attorney General on November 28, 1966, were forwarded to the Secretary of the Interior. On March 11 the Secretary advised Wellfleet town officials that these bylaws were determined to conform with the standards previously issued by the Department and returned the original maps and amendment to Wellfleet with a congratulatory letter on adopting these measures.

A number of matters previously reviewed by the Commission are being worked on in the Regional or other offices; these include the interpretation of Section 2 (a) of the Act regarding the status of lands owned by Seashore towns; the Kennedy Nature Trail about which we had a letter stating that the Regional Director agrees it is an appropriate interpretive feature and concurs on the establishment of the trail. He further states: "However, any decision as to subject matter, type of trail, location, etc., should be delayed until the master plan has been revised and updated. This permits time to plan this facility while giving due consideration to other proposed interpretive facilities within the Seashore." Also the proposed guidelines for alterations and enlargements of improved property.

We have under date of March 29 sent to the Regional Office a list of commercial properties of all types within the Seashore boundary, together with our comments and recommendations with respect to current status and

future action.

MRS. WILES: Anyone who has cottage rentals, are they supposed to get a Certificate of Suspension of Condemnation?

MR. JOSEPH: If it is in a commercial category they should apply through this Commission, but under the Departmental ruling and the recommendation of this Commission in 1962-63 any cottage colony that was there before September 1, 1959 and is operated in conjunction with a dwelling that was there before that date, is not considered a commercial enterprise but a traditional use; this is considered to be improved property and has the same protection under the Act as is provided for a dwelling.

MRS. WILES: If a person has a cottage or a home which they occupy part of the time and rent it the rest of the time it wouldn't be considered as a commercial operation.

MR. DIEHL: What if they don't ask for a permit?

MR. JOSEPH: Under the law they are subject to condemnation.

MR. NICKERSON: They are subject to condemnation.

MR. MCNEECE: But does anyone condemn?

MR. JOSEPH: Since the existence of the Seashore everybody has been trying to apply these regulations by reason; I don't know where any condemnation has been made. Anyone who is there without a permit at this time, I think if you agree, should bring in his application now.

MR. DIEHL: What if he wanted to enlarge?

MR. JOSEPH: Not much has been said on enlargement. In the case of the Governor Prence Motor Lodge in Truro, for which there is no Certificate on record when they wanted to expand you held them down to a minimum.

MR. NICKERSON: If they go ahead without permission they could be condemned.

MR. JOSEPH: As was the case with the North Truro Art Gallery, I feel these requests should come before this Commission. You recommended that he be given permission to expand as requested provided that the alterations were made on his own responsibility, with the knowledge that permission to enlarge the structure would not create any obligation on the part of the Service to extend the Suspension of Condemnation Certificate or affect the authority of the Secretary to condemn the property if an extension of the Certificate were denied; and he was so advised.

MR. DIEHL: If you don't allow expansion and he wants to open in another location what happens to the property, will you go in and buy it?

MR. JOSEPH: You mean if he abandons it? Any number of things could happen. If it were offered for sale and it met tests of priority and good sound business judgment we might buy it.

MR. NICKERSON: Why would you try to buy it?

MR. JOSEPH: It is an element of judgment. If he abandoned the property and it was not used you might not want to consider leaving it there indefinitely without some attention being given.

MR. NICKERSON: The more it runs down the less it is worth.

MR. JOSEPH: In the meantime operating a public institution you would want to see properties in the area relatively well taken care of.

MR. NICKERSON: My idea is the Park Service is under no compunction to buy.

MR. JOSEPH: The element of judgment is so great in situations of this type. There might be a situation where you might not want to buy under any circumstances.

MR. DIEHL: This would be a chance to clean up the area.

MRS. WILES: A commercial establishment would be of more value I should think as the years went on because you can't establish any more.

MR. NICKERSON: On U.S. Route #6 it might not be because you can establish them on the other side of the street.

MR. MCNEECE: Is there anything to say that if they are inoperative for three years there can be no continuance?

MR. JOSEPH: It could be that the zoning bylaws of the six towns could be used as a means of control.

MR. DIEHL: Could he sell the art gallery to someone who operates a coctail lounge?

MR. JOSEPH: I believe I am correct that it says in the certificate that they can sell the property to others but not to change the type of business. Then the effect of the law would apply and they would have to come back to the Commission and the Park Service to see if they could get a new certificate. If refused the only power we have would be to condemn.

MR. NICKERSON: You wouldn't necessarily have to exercise condemnation unless you chose to do so. You could let him run his bar without a

certificate.

MR. JOSEPH: All the Certificates do is tie the hands of the Park Service for the term of the Certificate. Without the Certificate they could move in and condemn, but they don't have to do it.

MR. DIEHL: A commercial use could continue on sufference, but always with the threat hanging over it that it could be condemned tomorrow; is that right?

MR. JOSEPH: I would think if the enterprise were not given a certificate we would have to take some action; we could not permit a commercial operation to continue without coming to the Commission for advice.

MR. NICKERSON: It is subject to condemnation, but would you have to condemn?

MR. MCCARTHY: What was the initial notice given to the commercial enterprise? Was this done by legal advertising or otherwise?

MR. JOSEPH: It was done by corresponding with the individuals concerned. The certificate gives a guarantee against condemnation for the life of the certificate. After it expires the operator does not have to renew, but in order to assure himself he will not be condemned he gets another certificate or an extension.

MR. DIEHL: What if he should go ahead and expand?

MR. JOSEPH: At the Highland House we do own the building and it is operated under a Special Use Permit. Were we to ignore the law we would be in effect telling the operators they could continue after

the expiration of their Certificate.

MR. MCNEECE: As a matter of policy I don't think the National Park Service is going to tolerate anyone doing this.

MR. JOSEPH:(Continuing with Progress Report.) The Eastham road and bicycle trail contract and the Province Lands road, parking area, utilities and shore protection project are expected to be resumed shortly. In connection with the Eastham project Staff Engineer Bowman has talked with most of the homeowners on Nauset Road and he states that the majority are pleased with the changes in the realignment of the road, and feels the time spent in contacting them personally was time well spent, as it tends to avoid many misunderstandings. Early in March the Provincetown Bicycle Trail was analyzed by staff members to determine work remaining for completion. This project is now being prosecuted by the bonding company who are having difficulty in lining up a contractor to finish up the defaulted contract. A considerable amount of damage occurred over the winter and it is expedient that the work be completed as quickly as possible to avoid liability in case of accidents and further deterioriation of trails. It has been recommended by staff members that approximately 2000 linear feet of berm be installed along withpavement edge and shoulder repairs in order that maintenance be kept to a minimum when the job is completed. It is imperative that the contract be completed before summer whether it is done by the bonding company or the maintenance

division of the Seashore. The landscaping contractor has returned to finish up the final planting at the Cape Cod Visitor Center and Administrative Headquarters and he expects to be finished shortly.

MR. NICKERSON: Is there any assurance there will be bicycle trails in Provincetown ready for operation this summer?

MR. JOSEPH: If the bonding company can't produce it will be necessary for the government to go in and finish the job.

MR. MALCHMAN: Was the contractor paid? I was approached by a gentleman having a financial interest in the sub-contractor.

MR. JOSEPH: We are interested in the protection of all who participate. We went immediately to the Regional Solicitor when we heard from Dr. Hiebert who financed Silva. The Regional Solicitor replied immediately and subsequently there was correspondence with those concerned. There was a payment bond and under the Miller Act the bond is required to 50% .

MR. NICKERSON: So the bonding company is responsible.

MR. JOSEPH: The Miller Act is for the specific purpose of protecting the sub-contractor and the material supplier. A representative of the bonding company has talked with the sub-contractor and I gather from what I hear offered him presumably 50%; but I don't know of what. This is being handled by very competent people and everything that can be done from the point of contract law is being done.

MR. MCNEECE: I should think if the Park Service could find someone to do it the bonding company could too.

MR. NICKERSON: It seems it is fairly impossible to get it in at least operable condition by June 1.

MR. JOSEPH: I should also mention we received word of approval covering the proposed beach construction and connecting road at South Wellfleet as recommended by the Commission and endorsed by us and described by Dr. DeSilets in January.

The architect who is on duty here from the Design Office at the Philadelphia Service Center reports that the final decision of that office is that there will be two separate contracts for the Visitor Center and amphitheatre at the Province Lands. Drawings for these should be forthcoming within the next two weeks. Due to funding considerable adjustments have been made in the projection section of the amphitheatre, both wing walls having been left off.

Invitation for Bids were advertised on April 11 for the construction of entrance road and parking area, Maritime Museum, Coast Guard Beach; bids to be opened at 11 a.m. on May 2 with work to be completed within 60 calendar days; this will consist of removing and obliterating an existing roadway area and construction of a new road 500 linear feet in length along approximately the same alignment, and a 44 car parking area.

Park Naturalist Vernon D. Dame of Lake Mead National Recreation Area has been selected as Supervisory Park Naturalist to replace Earl Estes. He is expected to arrive on Cape Cod about May 4.

Chief Park Ranger Bean reports that travel was up 16% in the North District and 58% in the South District over the first three months in 1966. Traffic counters using a 2.7 multiplier showed a total of 69,681 visitors to the Seashore during the month of March, an increase of 12% over March 1966.

We were interested in receiving a copy of a letter to Director Hartzog from Mr. Child, written on March 28 in regard to including as a part of the design of public buildings, some provisions for paintings and sculpture. It is possible that Mr. Child would like to comment further on this.

MR. CHILD: This is just something I felt strongly about and I just went ahead on it as a personal matter.

MR. JOSEPH: Of interest also was a memorandum from the Regional Chief of Interpretation and Visitor Services regarding the cost of producing filmstrips for use in visual presentations about the Parks, and recommending mimeographed commentary to accompany the filmstrip rather than tape recordings when they were loaned, since the tape recordings might be accidentally erased or changed by inept or prankish individuals, thus requiring a careful check before each use. This does point out Mr. Chairman that efforts are being made as you suggested to contact prospective visitors in advance and inform them regarding various areas in the service.

Following up on our earlier suggestion we have contacted the Air

Force in an attempt to arrange for an air inspection of the National Seashores in the Northeast. We have been advised by the Commanding Officer at Stewart Air Force Base in Newburgh, New York that they are favorably considering our request; we suggested that they consider May 5 or 12 as a date for the flight subject to availability of aircraft. They have promised a definite answer as soon as possible and have stated that they are recommending approval and that higher headquarters will have to pass on it. In a telephone conversation with Colonel Weil he sounded most helpful and cooperative and subject to final word from him we can continue to look forward to planning such a trip.

There is one other subject you suggested I bring up Mr. Chairman, concerning a telephone call from the Corps of Engineers regarding the hearing on the Pleasant Bay navagation project.

MR. NICKERSON: At our last meeting we designated Mr. Yasi and Mr. McNeece to attend a meeting which was to be held in March. I understand it has not been held.

MR. JOSEPH: This is correct. It was postponed to April 12 and then to April 27. We were advised by telephone that Col. Ranier felt he would rather not have Advisory Commission representatives and town officials at this meeting. Hearings to include these agencies would be held at a later date. I suggested to Mr. Onysko in our telephone conversation that possibly the Advisory Commission should be represented

and he advised contacting the Division Engineer since the plans for the meeting were now completely out of his hands, and that the Division Engineer had expressed the desire to have only Federal Agencies at this meeting.

MR. NICKERSON: Was the town of Chatham involved?

MR. JOSEPH: No. Mr. McNeece and Mr. Yasi would both be representing the Advisory Commission.

MR. NICKERSON: The Advisory Commission is not a Federal agency?

MR. MCNEECE: I don't know. But not according to this that you have just heard; they would prefer to have just official agencies.

MR. JOSEPH: I have no information as to how or why they came up with this. Personally I feel it would be appropriate for the Advisory Commission to be there and that is why I said that in the telephone conversation.

MR. MCNEECE: This is a preliminary meeting of all the government agencies involved and I presume they want to be sure they have covered the ground thoroughly before they open it to the public.

MR. NICKERSON: Haven't they alternatives?

MR. JOSEPH: Yes, they have several preliminary ideas and they do represent several alternatives.

MR. MCNEECE: It is a question whether the Advisory Commission could make any contribution and if it were possible we might make a contribution the reason wouldn't be as a result of our being members of this

Commission necessarily, but with the fact we are familiar with the area and its problems. Maybe they are not ready for that kind of information.

MR. NICKERSON: You would be available if they wanted you and so would our other designee Mr. Yasi. In his capacity as designee from this Commission he would have to do it himself or not at all. It seems to me the position of this Commission would be that if the Corps of Engineers would like to have representation from this Commission it is available because Messrs. McNeece and Yasi have been designated; but if they don't we don't care one way or the other. Shall we leave it that Mr. Joseph would let Mr. Onysko know that we have designated representatives, and if they don't want us that is OK and no hard feelings? We are placing ourselves at their disposal all around, OK?

MR. THOMPSON: During the month of March eighteen (18) options were negotiated comprising twenty-six (26) tracts covering one hundred and forty-two (142) acres. A total of seven hundred and eight (708) options covering eight thousand four hundred and forty-one (8,441) acres have now been secured.

Seventeen (17) closings, comprising twenty-three (23) tracts giving the Government title to one hundred and six (106) acres were accomplished. This brings the total number of closings to four hundred and ninety-one (491) and the total acreage involved to six thousand three

hundred and seventy-nine (6,379).

The condemnation assembly covering seven (7.0) acres, more or less, of land in Eastham, which was forwarded to the Service Center in December, has been sent to the Attorney General.

Twenty-six (26) appraisals were completed and six (6) former appraisals were updated.

Mr. Clifford Harriman, of the Division of Land and Water Rights in the Washington office, was at headquarters April 7 through April 12 to review the status of the land acquisition program and related matters.

Meetings have been held periodically with the Town of Eastham officials relative to the proposed land exchange for a school site and for road location. We have formulated our recommendations based on these meetings and have forwarded them to our Washington office for approval.

MR. NICKERSON: Have they been advised? Is it simply subject to confirmation?

MR. JOSEPH: I believe that is correct. We don't have any formal exchange of letters; but they have reviewed the maps and have been handed a copy of official recommendation.

MR. NICKERSON: No indication it is acceptable to the town?

MR. JOSEPH: It is difficult for the Selectmen. They can't say too much until it goes to the town; they will have to make up their mind if they will recommend it.

MR. NICKERSON: Does this overcome previous objections?

MR. JOSEPH: I think so. It has important mutual advantages. I would say this would satisfy any objections raised at the meeting on March 6.

MR. NICKERSON: It seems desirable and advantageous to both parties to have this closed up.

MRS. WILES: What is holding up the payment to people whose land has been condemned and surveyed etc., and especially the land courted land. It has been six months now.

MR. THOMPSON: I think I know the case you refer to. The voucher was sent to the Treasury during last week, but in connection with the Land Court, everything has to be absolutely perfect before you can get them approved for completion. Any land having to do with the Land Court is slowed down.

MRS. WILES: I should think that would make it easier to settle.

MR. THOMPSON: You have to go and get a separate survey of what is being conveyed and of what remains and the deed is acceptable only when all details are as perfect as it is possible to have them.

MR. NICKERSON: The title is more definitely assured, but what would take minutes in another administrative function takes months in Land Court.

MR. THOMPSON: Those we don't have to handle in connection with the Land Court are coming through much faster than before; in 30 to 60 days.

MRS. WILES: People are complaining they have to go way to Boston.

MR. NICKERSON: That is where the Land Court is.

MRS. WILES: Do these people have to go to Boston to see the attorneys?

MR. THOMPSON: Individual land owners or their attorney may have to go in certain cases.

MRS. WILES: They feel that they should have somebody down here instead of going all the way to Boston, or paying an attorney a days pay to go.

MR. MALCHMAN: It was my understanding there was going to be a policy covering the towns in connection with lands for water exploration and water supply.

MR. JOSEPH: I have been contacted by the Town Manager of Provincetown about exploring for water in the Seashore. He advised me they had explored on privately owned land. The question was whether the Seashore could be used as a source of water. After checking the file over the past two years I determined it did not contain a full review of the current problem. Previously the assumption had seemed to be that the town could explore for water where it chose to do so. I believe that is a fair summary of the feeling; I have submitted it for review to the land and water control office. Whether I will be authorized to discuss some action I don't know. It will involve the attention of those who have the responsibility for protecting mineral resources on land owned by the United States of America. I think the relation of the Seashore and the towns is so intermingled that some joint arrangement ought to be worked out, but I hesitate to do so on

my own and have written for authority to undertake such action.

MR. MALCHMAN: The Finance Committee have asked if I would find out precisely what the policy is because they are considering recommending the purchase of private land etc., in Truro.

MR. JOSEPH: I don't know off hand of any policy or regulation which would authorize giving to anyone water or mineral rights. I took the problem to the water rights specialist. I know the town would like to know. The fact is I have written for permission to see if I can work out some agreement.

MRS. WILES: Where you get water here - is that on town owned land?

MR. THOMPSON: It is on properties that were privately owned - that we have taken title to from private individual. If that strip of land the town owned continued another 300 feet it would be on town land.

MR. JOSEPH: I know there has been a good deal of discussion, and of the existence of reports that propose it; but when you get down to making an agreement I have felt strongly that assumptions should be cleared up. I think we should work out a joint arrangement sometime which means if exploration is on Seashore lands then the Seashore should get its water, or have a pro-rated rate.

MR. MCNEECE: So you are not going to permit any exploration in anticipation.

MR. JOSEPH: I need a little word from the water rights office before I turn loose a general policy for anyone to explore for water.

MR. CHILD: I notice Mr. Joseph said they are doing some work around the Maritime Museum. Does that mean that you have some assurance from the Coast Guard that they will turn over this property?

MR. JOSEPH: We have the same assurance we have had before; verbal but quite informal. We have a letter this week saying we can have it for another year. This road is on Coast Guard property; they know all about it; it is pretty obvious that they know we will be in there but they are not willing to say so yet. It will give an overflow space for parking at the bathing beach.

MR. MCNEECE: Do you need help to get that going? How about the boat?

MR. JOSEPH: Much of the thinking is that the boat - this is the 36 footer used in the "Pendleton" rescue - is too big for the museum; the cost of getting it over here and putting it in a suitable building would be quite an item.

MR. MCNEECE: The Coast Guard are phasing out these boats and they will be destroyed. It was suggested that one be placed in the museum not only because of that, but that it is a particular type of rescue vessel that fills in between approximately 1900 to 1940. It has also played quite a part in other rescues. Rather than burn it up it might be a good addition to the museum. All the Park Service has to say is yes we want it, but they have to say that pretty soon.

MR. NICKERSON: All that would be involved would be an open air shelter.

MR. JOSEPH: The Regional Director has told me he is sympathetic, but the cost is an item. Plans made heretofore hadn't contemplated a structure of that size.

MR. MCNEECE: We have the feeling it would be quite a point of interest to people.

MR. NICKERSON: The cost of such a shed would be small.

MR. MCNEECE: Would a recommendation from this Commission have any bearing on it? I don't know whether the Commission wants to take any action.

MR. CHILD: What is it, what size?

MR. JOSEPH: It is a 36' diesel powered craft that runs; it is in the water now at Chatham and would be brought up and cleaned up and made presentable, set on a cradle and made safe so it would not tip over.

MR. CHILD: Has this been given away?

MR. JOSEPH: It will be given to us if we want it. The funds to get it so it will be properly taken care of and make it safe for visitors to be around it will not be an unimportant part of the transaction.

MR. NICKERSON: Do you want any action as far as the Commission is concerned?

MR. MCNEECE: Certain people in Chatham feel it should be preserved.

MR. CHILD: I think it is something we should take some action on; it seems to be something that should be preserved.

MR. NICKERSON: Why not recommend the Park Service investigate the situation and determine whether or not it is practical. If it could be done as a practical matter we think it would be a fine exhibit to have for the proposed maritime museum?

MR. MCNEECE: I so move.

MR. DHILD: I second the Motion.

The motion was affirmatively VOTED.

MR. NICKERSON: George, (Thompson) did you give any estimate of how much of the job of land acquisition has been completed? How many years we have ahead of us?

MR. THOMPSON: Early this current year we submitted a program that encompassed three years in addition to 1968. That would be 1969, 1970 and 1971; based on the rate at which Congress would see fit to appropriate the money.

MR. NICKERSON: Even then there will always be work to be done.

MR. THOMPSON: In the latter part of 1971 we begin to slow down because acquisition will be slower and begin to taper off. The peak will be reached in 1969 then taper off. At the end of 1971 there would be lands that would be acquired in the improved category that we wouldn't be interested in acquiring now.

MR. NICKERSON: In terms of the number of people you have negotiated with, how far along are you now, one-half?

MR. THOMPSON: 60% in terms of the number of owners; some owners have several pieces of property.

MR. DIEHL: At the end of 1971 what percent of undeveloped land do you think you will have in your possession? What percentage of 27,000 acres is undeveloped?

MR. THOMPSON: I would say about 21,000 acres.

MR. DIEHL: What percent will you have by 1971?

MR. THOMPSON: Lots of that is town owned.

MR. DIEHL: Out of the privately owned?

MR. THOMPSON: I think the biggest percentage in Nauset Marsh is in private ownership and the thought is that nothing can happen to it. It would be up to the individual owners.

MR. NICKERSON: If you take town owned lands there is lots that is protected because it is owned by the town. How much in Nauset Beach is owned by Orleans and Chatham?

MR. THOMPSON: 80%. I would say about 80% of the total. About 1500 acres. Owned by the towns of Chatham and Orleans, mostly south of the parking lot.

MR. NICKERSON: From the point of view of protecting the land from exploitation, the fact that the town owns would protect it from exploitation.

MR. CHILD: Can't the Master Plan you have hanging on the wall here be brought up to date? Great Island for instance, colored green?

MR. JOSEPH: I will say this on the maps. The Master Plan review will definitely result in a new map and a format more readable.

Item 5. Commercial/Industrial Condemnation Suspensions

MR. JOSEPH: As I reported in the ProgressReport, we made a summary of all outstanding commercial operations including those with special problems like the Highland House, the Arthur Joseph sandpit; this included recommendations as to the term of years for which they are to be continued. That summary was reviewed and generally concurred in at the Regional Office and it is now in the Washington office. At this time we have received letters from the following who wish to have their Certificate reviewed by the Commission for consideration of possible extensions, The Cliff House Colony, North Truro Art Center in Truro; Hall's Cottages, The Spar Shop in Eastham.

MR. NICKERSON: Doesn't the term of years depend on the individual situation in relation to the investment and financial risks the owner is taking?

MR. JOSEPH: For those of a normal nature, which would include the four mentioned, I would recommend a term of another five years subject to your pleasure as to whether you think we should extend them at all. I gather from comments after you looked at those in Truro before the last meeting that the sentiment of the Commission was to extend these operations and this squares with my feeling. You indicated the term of the extension should be determined between the Seashore and the owner. In my review of these I separated them in categories that seemed normal, and I have recommended for example, on the four you looked at plus the four presented today, that these might well be

extended for a five year period in all instances since there is no major problem or significant change in operating conditions. These extensions would be issued by this office, using the same approved from that was utilized when the first Certificates were issued.

MR. NICKERSON: This Cliff House Colony at Highland Road, what is that?

MR. JOSEPH: It is the group of cottages near the ocean, north of Highland Light.

MR. NICKERSON: Where are Hall's Cottages?

MR. JOSEPH: These are the group of seven structures on the south side of the approach to Nauset Light Beach.

MR. NICKERSON: This doesn't qualify as an improved property.

MR. ~~NICKERSON~~ Joseph: The seven were there as rental cottages. The former owner conveyed his interest to his brother and the Certificate was transferred at that time. The present owner lives in one of the cottages.

MRS. WILES: Wasn't someone living in them before?

MR. JOSEPH: Not so far as we know.

MR. NICKERSON: This is not a subject for us to decide today.

MR. JOSEPH: The present owner has a Commercial Certificate which his brother the original owner was granted, and which was transferred at the time the property changed hands.

MR. NICKERSON: What about the North Truro Art Center?

MR. JOSEPH: We gave him permission to enlarge and alter his

building with the specific stipulation that this would not create any obligation on the part of the Service to extend his Suspension of Condemnation Certificate nor to affect the authority of the Secretary to condemnthe property if an extension is denied, and he was carefully written along that line. The Spar Shop is in operation off Nauset Road beyond the Visitor Center.

MR. NICKERSON: Does the Commission want to make a recommendation on these four without looking at them? If you are going to look at all of them you are not going to do much of anything else.

MR. DIEHL: I made a suggestion on that gas station (Mike & Tom's); it is an eyesore; we spend a lot of money to put in these attractive things and I think we should insist he clean up that corner; it is a mess.

MR. JOSEPH: I have not contacted him with regard to the extension of his Certificate because I have been waiting to get the final word regarding the length of the renewal and I expect to have this confirmed shortly. I will then write to the owners of the property and advise that it will have to be cleaned up in a satisfactory condition before the Certificate. The clean up obviously has to be tied in with something like the issuance of the Certificate.

MR. NICKERSON: Do you want to take action on the four applicants for extension?

MRS. WILES: I move to grant all of them an extension.

The Motion was seconded by Mr. Diehl and affirmatively VOTED.

MR. NICKERSON: While we are on the subject, what did you say in your earlier report about the guidelines for additions and alterations to improved property?

MR. JOSEPH: I said it is one of the matters being reviewed in the Regional Office; the only thing I have to present to you are my notes based on informal telephone conversations with the Regional Solicitor in response to my draft. He tells me he is making certain reservations and adjustments.

MR. NICKERSON: Do you think we can have this in time for the next meeting? I think there are lots of people who want to know what the guidelines are. Not necessarily a final interpretation but a simple statement of what is to be final so that the Commission can make some comments.

MR. JOSEPH: The Regional Office has your comments in the Minutes of your last meeting and I have also discussed this with them. I have notes of my telephone conversation with Mr. Redmond, but I would hardly consider them final; I feel it would be better to let Mr. Redmond give us his ideas in writing in arriving at a statement of policy that will be consistent and good.

MR. NICKERSON: I think what he is going to come up with is something simple and fundamental.

MR. JOSEPH: Mr. Redmond would be happy to come up here again if you want him to do so.

MR. NICKERSON: What did Mr. Redmond have to say about Section 2 (a)?

MR. JOSEPH: This is a much simpler problem, and while I don't have it in writing to him, although he has sent me a memorandum, which seems to have been delayed in the mail, he has told me on the telephone the substance of the memorandum which is that the language of the Act prohibits the condemnation of lands owned by political subdivisions regardless of when the lands were acquired.

MR. NICKERSON: Then this would refer to land owned before or after the Act was passed.

MR. JOSEPH: That is the burden of his opinion. I expect to have it in writing which can be read to you at the next meeting if you wish.

MR. NICKERSON: Going back to the Kennedy nature trail; that hasn't progressed except it is in the plan.

MR. JOSEPH: This will be given to our new Naturalist as something to get on top of and try to resolve. I would like to quote to you from a letter dated February 23 from Acting Regional Director George A. Palmer, which ties in quite naturally with the arrival of our Naturalist who knows something about under water trails.

"This confirms Regional Naturalist Estes' telephone conversation of February 9th regarding the proposed Kennedy Nature Trail at Cape Cod National Seashore. I agree that it is an appropriate interpretive feature and concur on the establishment of the trail. However, any decision as to subject matter, type of trail, location, etc., should be delayed until the master plan has been revised and updated. This permits time to plan this facility while giving due consideration to other proposed interpretive facilities within the Seashore. . . . . "

MR. NICKERSON: Anything more about commercial operations and your

memorandum?

MR. JOSEPH: With the action today on the four commercial properties and your action at your last meeting regarding four other such properties you have pretty well taken care of the operations which I included as Exhibit "A" in my memorandum. Exhibit "B" consisted of a list of a list of commercial operations for which acquisition has been underway or has been considered as a potential possibility. These operations are conducted under Suspension of Condemnation Certificates expiring on December 31, 1968. They are: Horton's Park, Sumner Horton's Landscaping Service and the Clam Bar Restaurant, all in Truro. As Exhibit "C" I listed all other commercial operations within the Seashore including those conducted under contracts or permits. Part I showed the concession operations that are conducted in government-owned facilities; these include the Herring Cove Bathhouse Refreshment Concession, Nauset Light Beach Refreshment Concession, Salt Pond Motel in Eastham, and the Nauset Knoll Motel in Orleans. As Part II I showed the commercial operations that are operating under Suspension of Condemnation Certificates not covered in Exhibit "A" and others which normally would be included under this category, subject to the advice of the Commission. Part II of Exhibit "C" includes the following, Arthur F. Joseph, James Silva, Whitehead Brothers Company and Nathan Nickerson, all engaged in some type of soil removal in various Seashore towns; Jack's Esso Station, CITGO Service Station, Governor Prence Motel, Colliano and Hastings

(Little Shop and Apartment House); MITRE Corporation, the Wellfleet Beachcomber Club. Part III included a list of all other commercial operations conducted under contract or permit and these included the Provincetown Airport, American Youth Hostel, Highland Golf Course, the Highland House, Jobi Shop, six Beach Taxi operations and twelve additional Guide Permits in connection with beach taxi operations. It is a long list and the Commission's advice should be sought in all cases where this has not been accomplished on a formal basis.

MR. NICKERSON: Why should we take them until they are presented formally?

MR. JOSEPH: A good question. I think a good time for further details would be when I get my answer to the recommendations, but a quick run-through wouldn't hurt. In the case of Horton's Park, if we don't acquire it I would say we are faced with another five year extension particularly since no camping facilities are supplied by the Government. This might be a consideration for the Master Plan team.

MR. CARLETON: This is right next to the golf course. Are we going to get the golf course?

MR. JOSEPH: I find a prospectus will be issued, bids will have to be received to encourage private business.

MR. CARLETON: We won't get it then?

MR. DIEHL: Do we have anything to say in the final?

MR. NICKERSON: Our advice has to be sought but it doesn't have to be taken.

MR. JOSEPH: I have told you everything I know on the golf course. It will probably have to be handled with a prospectus.

MR. DIEHL: They have to get over lots of hurdles and in this case one of them is the Advisory Commission. I think it should be town operated because it is one way for the town to get back some of the money lost in taxable property.

MR. CARLETON: Couldn't you have a prospectus for private operation and another for a municipal operation?

MR. JOSEPH: Maybe so. Anything is possible. I have treated this as a singular set of circumstances between town and Seashore, and have recommended it be given to the town for two years; broader consideration seems to indicate it is to be put out on a prospectus. That tells you informally what probably I am going to hear formally Jack (Carleton.)

MR. DIEHL: What about Hortons?

MR. JOSEPH: Here is where we get down to brass tacks. It is a commercial operation; you have stated certain factors that seem to make it less advantageous then other commercial properties; the control lies with the Government, including the Advisory Commission, as to whether or not it is to continue.

MR. DIEHL: It is adjacent to the golf course isn't it? If we owned it we could add to the present nine holes if we needed to. I should think this is the time to plan for the future.

MR. NICKERSON: This is a trailer park not a camping area. There

isn't any other within the Seashore they do use some portable campers in the camping area.

MRS. WILES: I think you will get a bad reaction from the public because there is no other place to go.

MR. JOSEPH: Maybe it would help to give you my reaction. This hasn't been reviewed by the Advisory Commission. This of course is still subject to the advice of the Commission.

MR. MCNEECE: Do you want to get rid of all of it or just the trailer part?

MR. CARLETON: All of it.

MR. THOMPSON: They conveyed three parcels to us that they are not using for the camp or trailer park a couple of years ago, but what is left is considered trailer park and campground and is contiguous.

MR. NICKERSON: Don't they have trailers and camping mixed in together?

MR. CARLETON: No.

MR. JOSEPH: Negotiations with the Hortons have been for the whole thing.

MR. NICKERSON: The camp sites are pretty much of a mess too. I would classify them as a summertime slum myself.

MR. MCCARTHY: I am not quite up to date. I seem to recall there was proposed camping at the former Camp Wellfleet.

MR. JOSEPH: Not "proposed". This Commission has recommended that in view of the demands for camping that necessary guidelines should be considered so that should it be done it would be in a compatible

setting. The authority under the Act is permissible. We are considering the problem, which is good planning.

MR. NICKERSON: In the plan of the proposed South Wellfleet beach there was shown an area set aside for public use. The assumption was that somewhere to the westward toward Eastham from the public bathing beach there might be a camping site.

MRS. WILES: I agree that Horton's place isn't very attractive, but what are you going to do with all these people? They have to turn them away now. If you don't let them continue you are going to add to someone elses problem.

MR. NICKERSON: Does the town permit trailers in Truro?

MR. CARLETON: This is a non-conforming use. It has been there for years.

MR. FINLAY: I wasn't in on the previous discussion regarding camping; what has been the opinion of the Commission with reference to visitors of that type to the Seashore?

MRS. WILES: I think when they came down and sold the Park to the people they said it would all be outside of the Park.

MR. FINALY: I mean within this group. How have you expressed yourself?

MR. MALCHMAN: It seems some day inevitably provisions will have to be made.

MR. FINLAY: I think this is something that will have to be faced. It is sad to see these fine people with children, looking for a place to

camp where there is no place. The demand for camping is increasing rather than decreasing. I think this should be faced and faced promptly by providing facilities for people. I think it is unfortunate to put this off. There are, from my point of view, areas somewhere in there near the Eastham-Wellfleet line, adjacent to Route 6 that would be ideal areas for camping; there are already rough roads there, the area is sheltered. A campground under the control of the Park properly run and regulated, with a charge made for use, would be an excellent thing. It is a thing you must face and it is more desirable to face it now than to wait until it develops to the point where political pressure comes in.

MR. NICKERSON: I think you are saying what reflects the feeling of the Advisory Commission on the subject. The question is whether such camping areas should be privately owned as concessions or run by the Park. My feeling is to have them run by the Park Service itself.

MR. FINLAY: My feeling is that if you wait, in this day and age of land values, you won't see private developments.

MR. CARLETON: We are referring to camping sites in Truro that are well hidden and better run.

MR. NICKERSON: I would be inclined to let it operate until such time as we have an alternative to offer. I wouldn't extend it yet. He has no great investment; but a year from now if plans were pretty well along and you could announce a camp site in the area of South Wellfleet or North Eastham . . . . .

MR. FINLAY: I get this largely from my wife. She works in the information booth and she is terribly upset about it.

MR. NICKERSON: Nickerson State Park and Shawme are filled up, but not Myles Standish.

MR. MCCARTHY: The Public Works Department put up an information station and private groups are supposed to send information to us - if we know there is a site available at a park, the camper calls and ties it up. Apparently Horton did very well financially or he wouldn't want to continue. In this instance must he conform to the town public health laws along with the state? Possibly the Board of Health is not carrying on its functions as it should.

MR. BEAN: We had a telephone call from Mr. Horton to know if we had any information about sanitary facilities. Apparently the town of Truro told them they would have to do something about this. They are looking for information.

MR. FINLAY: That requires a permit from the local governing body - the Board of Health. The state is supposed to come down and inspect.

MR. MALCHMAN: I was informed that the state has changed their regulations and made them more rigid.

MR. CHILD: Isn't there a new campsite in Provincetown?

MR. MALCHMAN: That is for trailers.

MR. CARLETON: The property this is located on is all undeveloped so the taxes from it to the town are nil. The police protection we have to furnish is more than the town gets out of tax revenue. They pay

$2 per month each trailer.

MR. JOSEPH: If I can judge the sense of the discussion, we would not approach Hortons with regard to a renewal.

MR. DIEHL: Could they buy undeveloped land in the National Seashore for campsites?

MR. JOSEPH: No.

MR. DIEHL: They couldn't get by the town zoning bylaws. Does Orleans allow them to do it?

MR. FINALY: No. Campsites are specifically barred. The National Park is here and taking up large areas of land as a Federal Park, the immediate impression of the Park is that you have that land, purchased with funds furnished by American citizens, and you will furnish them campsites through the use of this land. You have it available and American citizens and others feel camping can be furnished without hurting anything about Cape Cod. In Orleans we have found that a number of substantial homes have been built by people who first camped at Nickerson State Park. They have now become non-resident taxpayers, whom we love.

MR. DIEHL: This is very fragile land.

MR. FINLAY: I am not talking about fragile land.

MR. DIEHL: It is very fragile land. In addition, we are not supposed to compete with private industry. We had the owners of all the private campgrounds here and they said there were enough private accommodations to take care of the demand.

MR. CHILD: That was before they didn't charge. Now they will charge in the Park.

MR. DIEHL: It was brought out in this discussion that except for a few weeks in mid-summer there were adequate facilities.

MR. FINLAY: That isn't the situation at Nickerson State Park and in Orleans, Eastham and Wellfleet we get the overflow. You haven't got the facilities. I think they made a mistake in the first place to assume there were adequate facilities.

MR. DIEHL: I think we should decide whether we are going to allow camping and to what extent. Once you start, this whole land will be tents; the lobby will be in there working for it.

MR. FINLAY: I predict that unless you do something about this you are going to have it stuffed down your throat because the demand and the political pressure is for tenting, camping, and boating facilities throughout the country.

MR. DIEHL: Thirty million dollars of the taxpayers money is being spent for one purpose; to keep the land in its native state. We would be giving up thirty million dollars worth of land - let them go to private owners.

MR. NICKERSON: You are saying where is the sense of denying a private use of land to taxpayers and giving it away free to non-taxpayers. You are saying let these people on wheels come in and enjoy for free what we have paid dearly for.

MR. JOSEPH: We get lots of requests for camping. As a practical matter

I doubt if we provided camping we could do much to fulfill the demand. I think Cape Cod is special for a lot of things; the size of the land, the type of the land, the number of visitors; you don't have the freedom to make campgrounds like other places, either town, Seashore or private. You have a capacity to determine pretty soon. I would rather ride out this using the existing private campgrounds and if someone asks to have a look at it on a broader basis, good roads will provide camping facilities further away. I would say you have to look at it from the standpoint of land use, charges and other aspects.

MR. FINLAY: The value of land should be considered. The land values have gone so high. Land values are too high in the towns to use for campsites.

MR. NICKERSON: Someone said regarding the demand for campsites that the effect would be, if we undertook to meet demands for campsites on Cape Cod, that there would be no room for anything else.

MR. MCCARTHY: My information is better than superficial, but not in depth, that a properly run camping area cannot be done on a profitable basis.

MR. NICKERSON: Doesn't this depend on the land value?

MR. MCCARTHY: Very much so. There is a program encouraging unused farm land. I don't hear of anyone rushing into it enough to meet standards set up by public health officials. If an individual can meet the standards and make money, corners must be cut.

MR. NICKERSON: This would indicate that camping is not camping as we know it, but simply a change of residence.

MR. MCCARTHY: It is generally considered there are two classes of campers; one is the Cadillac set who can very well afford to put up at any motel or hotel, but do not care to do so. The other is the good family man, who can't afford to go into a motel. In respect to Mr. Horton's area, would it be possible to allow for a period of observation as to what he is doing; and if he is meeting standards for the ensuing year, put this off until such time as that is determined.

MR. JOSEPH: This is feasible.

MR. CARLETON: I came to Cape Cod from Hartford, Connecticut and I was a poor person; we rented Ozzie Ball's shacks. We couldn't have come if we hadn't been able to stop at a place like Ozzies. Now we do have a home and we want some sort of protection. Horton's Park is an eyesore. I have no objection to the other two. We have to have a camping area. Horton's is the one we should dispose of; it is really an eyesore. He receives police protection from the town even though he pays nil. I think this should be eliminated. The land didn't cost them much of anything; this is the time to buy it while the buying is good.

MR. JOSEPH: This material which I prepared on commercial operations in the Seashore took me a week to put together, and this discussion has indicated that there are many varied and knotty problems, and I

will continue to write them up and bring them back to you, and I appreciate any advice you can give us.

MR. NICKERSON: I think this discussion has been very profitable because it has brought into focus some opposing opinions.

MR. CARLETON: Some of these people that come into Horton's Park are not too desirable. They don't spend a dime in Truro; they dig the clam flats at night, fish at night and go back home without spending a nickel.

Item 6. Proposed Scientific Committee

MR. CHILD: I see from the Minutes that at your last meeting you gave a list of people accepting invitations to serve on the Scientific Committee. The interesting thing to me is that everyone I wrote to accepted with enthusiasm. We want to add to the list I received from Dr. Redfield, the name of Dr. Zak the assistant professor of agronomy at the University of Massachusetts. He has been doing experiments on the dunes for many years. We should decide when we would have this meeting as soon as possible. They are all busy men. It has been suggested we have a meeting on May 20 and May 21. They should be notified immediately so they can reserve that time. I have been communicating with our Chairman. We had some hesitation about just what this Committee is supposed to do and who they are to be responsible to, and at Josh's suggestion I wrote to Hank (Foster) he being the father of all this and had asked that you appoint me as chairman of the steering committee to get them together. I would

like to read you Hank's letter: (reads)

"Dear Josiah:

"The news of your progress on the Seashore Scientific Committee was certainly impressive, and I cannot think of a more distinguished group for the start of your program.

"For what it is worth, here is my concept of the role of the Scientific Committee.

"The idea originated from the basic intent of the legislation establishing the Seashore. Not only the enabling act itself, but also the testimony leading up to its enactment, called repeated attention to the scientific values to be preserved at Cape Cod.

A second factor leading to the proposal was the growing amount of allegedly scientific research taking place within the Seashore. It was always my feeling that a good deal of this research was self-motivated, rather than being part of some orderly program of scientific investigations. The thought was therefore formulated that a special scientific committee could materially aid the Seashore in the following respects:

1. To assist the Superintendent in evaluating proposals for scientific research;

2. To advise him on the use of federal or other funds for scientific purposes;

3. To develop a comprehensive master plan of desirable areas for scientific investigation;

4. To actively solicit non-governmental funds from universities, foundations, etc., to carry out the provisions of this master plan.

"I always felt that the Scientific Committee should function as a subcommittee of the Advisory Commission, rather than being another special body for which the Superintendent is directly responsible. In this fashion the Advisory Commission would have a group to which it could turn and thereupon make more intelligent recommendations to the National Park Service in a highly specialized field.

"Here's hoping the above will help answer some of the questions certain to be raised at the April 14, meeting. With best regards, s/Charles H. W. Foster."

Our next business is to work out a program and have somebody, we hope to have Mr. Garrison, come that weekend and greet them, and it has been suggested they come of a Saturday noon and be taken over the Seashore and have a dinner that night and further exploration of the Seashore next day for lunch and then disband. This has to be worked out by all of us. The sooner we decide on the date and notify them the better, and then work out the program. I am going to have a meeting with Francis Sargent on Thursday on another matter. I thought I would advance the idea that we invite him to the dinner if he is available. I think we have a fine group; I am wondering how we take care of the expenses; they are not people with a lot of money.

MR. JOSEPH: We can pay the expenses of the Advisory Commission but I don't know of any way to do this for a sub-committee.

MR. CARLETON: I think we can get some help in Truro in taking care of overnight accommodations.

MR. JOSEPH: We have been trying to get a date for the airplane trip to Fire Island arranged for the early part of May before setting the dates for the Scientific Committee meeting, but I will write letters to the Scientific Committee the first of the week. We have been talking about May 5 or 12 for the proposed trip to Fire Island.

MR. NICKERSON: That outline in Hank Foster's letter leaves the question of explaining to these people that they have no official status; that when they have something to discuss they be represented

at the Advisory Commission meeting, and we will put it on the Agenda and discuss the subject.

MR. CHILD: Dr. Redfield knows we have no authority; we can bring them together, greet them and ex plain a little bit of what we would like to have them do, and tell them that the Seashore is available to a certain extent for any experiments they would like to do, subject to the approval of the Advisory Commission and the Seashore. Stan (Joseph) says he can supply transportation or trucks if they want to do something. If they get into a project they will have to find the where-with-all. Dr. Redfield said he might get money from other sources.

Item 7. Report on Exploration of Atlantic Ocean Gas & Oil Reserves

MR. MCNEECE: The Committee has been working with the Department of Natural Resources to get our state officials to take a position on this problem. We hope that they would press for a moratorium of sufficient duration to permit a very thorough study of all factors involved before the state itself drafted any regulations controlling exploration or development within its own waters because customarily the Federal Government has been inclined to recognize any State regulations and go along with them. The Committee, three weeks ago, met with representatives from four of the major oil companies who were referred to our Committee from Washington; members of these oil companies had combined to pool their resources for an exploration program all the way up the Atlantic coast. They were to use various

devices in their work up to a certain point. At certain points in addition to electronic devices they want to make core drillings and use some blasting in connection with these drillings, so that their advancement up the Atlantic coast was halted until they could double back. When they felt they should sit down with the Committee,after a great amount of discussion they were obviously convinced that when they reached Georges Banks area they should not proceed until there was some agreement between our Committee and their group as to just how far they might go. The Committee agreed that there was one point on the slope of the shores where they might make one core test at about 600 feet in depth where they might use explosives without endangering any fish life, but this instead of being communicated to these particular members of the group was to be relayed to the Department of Interior and through agreement hepefully with the Department of Interior anyone testing beyond this particular point would be banned pending sufficient exploration as far as our Committee is concerned of all of the dangers and how to combat them. In other words, a sufficiently thorough study of what might happen, so that we would be assured that if anything was done in the future out there, the fishing industry and our tourist industry would not suffer; now that is as far as we have gone. I understand our Commissioner of Natural Resources has been in communication with the Department of Interior and there will soon be a meeting set up in Washington which will be attended by two or three members of our Committee and the

Commissioner of Natural Resources and possibly the Governor, but at the same meeting I would expect there would be Congressman Keith and others. Locally, on Cape Cod, I have been pressed for information on this subject because people have been disturbed by what had happened off the English coast, and they are a little bit bewildered by the fact that no official in this State has taken any position to reassure our residents that at least the question is being studied, and that with the view of being able to cope with final happenings here, the only action apparently that has been taken thus far as a result of this catastrophe, is the Bill filed by Hastings Keith. If I were the Governor of this Commonwealth I would be scared and get hold of representatives of the Corps of Engineers, the Division of Waterways and Natural Resources and see what, if this happened here, we would do about it; but that hasn't happened. This is the sort of thing people are saying on Cape Cod. Maybe as a result of our meeting with the Department of Interior something of this nature will result. As far as this Commission is concerned I would think this would be a matter of concern to anyone who has an interest in the Seashore and the waters involved. I don't know whether anyone has seen this issue of LIFE; it is ghastly what could happen here. It does not say we couldn't have a tanker filled with crude oil crack up without any oil wells. It seems to me it behooves anyone concerned about the natural resources of Cape Cod to expect that our own government, State and Federal, will see that this whole thing is properly studied

before any more exploration or any development is permitted in our strategic area.

MR. CHILD: Has the Governor's office been made aware of what is going on?

MR. MCNEECE: Yes. We have had a meeting with him. He has told the Commissioner of Natural Resources to report to him.

MR. DIEHL: Usually the Government and others think in terms of what might be derived from royalties, but they must also consider what might happen from such a thing as this, and what they might lose which can't be measured in terms of dollars and cents, from an oil industry being established off Cape Cod.

MR. NICKERSON: I think we should be as concerned about the pollution of the ocean as we are about the pollution of the lakes, rivers and streams.

MR. JOSEPH: We have asked for and been given assurance that we are going to be notified as soon as permits are issued.

MR. MCNEECE: We have gained a little. At the present time the Geological Survey, before issuing any permits, must notify the Bureau of Commercial Fisheries; they in turn will notify the local industry. We want to go a step further and say that before permits are issued there will be a public hearing. There are a great many organizations interested, including the Audubon Society because it is a shame to see what is happening to the poor birds over there. They are waiting for this Committee to say that the time is ripe now

to speak up on this matter, and that time will be determined to a great degree by what success we have with the Department of the Interior.

MR. NICKERSON: No occasion for our taking any further action at this time?

MR. MCNEECE: Would it be proper for this Commission to add to what it has communicated to the National Park Service that this adds further proof to the need to keep informed on the progress of possible development and also indicates further need for investigation as to how to cope with a thing like the TORREY CANYON?

MR. NICKERSON: I think it would be very appropriate to make reference to our previous letter.

MR. MCNEECE: Any reason why this shouldn't be part of our news release?

MR. NICKERSON: Just what do we want to say?

MR. MCNEECE: That the Commission reaffirms its position that the National Park Service should keep itself well informed on the progress of the consideration that is being given to off shore oil exploration and development and in view of the disaster resulting from the wreck of the TORREY CANYON off the coast of England it urge the National Park Service to do whatever it can to encourage an investigation to determine how best to cope with pollution of this nature should it occur off our own coast from whatever cause.

MR. NICKERSON: Should it go out under your signature as Secretary?

MR. JOSEPH: The last time it went out as part of the Minutes and I called attention to it.

MR. NICKERSON: We were to have a report on the Arthur Joseph sandpit operation. Do you have something?

MR. BEAN: Following the Commission's last meeting we looked at this sand pit and I have the following to report: this pit has been in operation approximately twenty years and is nearing the end of its usefulness considering the area to which it is limited by the property boundary. An inspection by Philadelphia Service Center Engineer Kaligian and myself on March 23 revealed that the pit in several places had apparently reached the water table; i.e., water in some small nearby ponds was at the same level. Engineer Kaligian estimated that approximately 90 to 95 per cent of the usable material had already been removed over the past twenty years. We propose to issue a Certificate of Suspension of Condemnation of Commercial and/or Industrial Property to expire December 31, 1968 at which time the matter will again be reviewed. The Certificate would include a provision that the areas already worked and on which no further work is feasible without encroaching onto adjacent property, will be seeded, sodded or reforested. The same procedure will be required on the final termination of operations on those faces then active. It is also proposed that the Certificate will be reviewed with the Truro Board of Selectmen in addition to the Seashore Advisory Commission prior to its expiration on December 31, 1968 as to its possible renewal

for an additional period. It is noted that the site of this sand pit operation is approximately 0.5 miles from the present Truro town disposal area. One possibility suggested by the Truro representative on the Advisory Commission was that the town might some time in the future want to use the pit when the existing disposal area is filled in. We noted that in the case of this particular operation the reforesting and restoration of the area had not been done as our predecessor thought it might be.

MR. NICKERSON: Does he have a permit now?

MR. JOSEPH: No; but I would waive this as an informality. Technically he has no permission from the Adv isory Commission tobe there.

MR. MCCARTHY: Is this adjacent to the town dump?

MR. BEAN: Yes, right off U. S. Route #6.

MR. CARLETON: It would be a wonderful spot for the town to dump into for the next few years.

MR. NICKERSON: Who owns the land on the high side?

MR. JOSEPH: We have submitted the information covered in Mr. Bean's report to our Regional Office.

MR. NICKERSON: Do you think it is fair to tell him you will review it at the end of 1968 if from every indication he will have reached his limit?

MR. JOSEPH: I don't want to be too unilateral with regard to the dump. Does the Commission feel that this is good business?

MR. NICKERSON: Would they have to dump fairly adjacent so it could be covered up and reforested? Are they using the sand fill method there?

MR. CARLETON: They are trying to. We used to have two town dumps one on the road to the North Truro Air Force Station; that was pretty well filled up; you would never know now that the dump was there.

MRS. WILES: What would be the point to plant it to trees if you are going to use it for a town dump?

MR. CARLETON: We would have to get permission from the Park to use it for a dump.

MR. JOSEPH: I don't want to go into this until I have some indication from the Commission.

MR. DIEHL: Why shouldn't the Park Service supply a dump for the people of Wellfleet and Truro?

MR. JOSEPH: You would consider favorably having a dump on Park land?

MR. DIEHL: Yes. What do you think about that Mrs. Wiles?

MRS. WILES: Yes. I don't know where in Wellfleet you could have a dump unless it is on Park land. The dump is outside now.

MR. JOSEPH: I think it is just a fortuitious coincidence in Truro that the sand pit is close to the dump; it might warrant expansion to use this area.

MR. NICKERSON: This is something the town and Seashore and Superintendent Joseph might explore.

MR. JOSEPH: This is right; if you think this is on the right track

we will try.

MR. NICKERSON: We concur in the report as read.

MR. MCCARTHY: May I make a remark; I don't know what you would suggest in exploring with the town, the idea of using it as a dump or working out a program of sand fill.

MR. CARLETON: The selectmen said they want to do something about the dump but they never brought it out in connection with Mr. Joseph's pit. I recommend we agree in principal with the report as read and recommend also that Mr. Joseph initiate discussions with the town of Truro and other interested bodies to the end that a solution might be found of a relatively permanent nature for the proposal of the dump as well as the sand pit, and I make this as a Motion.

MR. DIEHL: I seccnd the Motion. The motion was affirmatively VOTED.

MR. JOSEPH: I thought you might like to look at the tentative plan for the South Wellfleet beach including thearea between the Marconi area and the Nauset Light Beach. If this plan is approved by the Director and the program change is approved also, it still has to have specifications written and bids invited etc., so it is obvious the roads and trail section won't be ready for this summer. The history of this plan is that it has come through the Regional and Design offices and is now in Washington. It is a preliminary plan and I don't know whether you want to say anything about it or not, but somebody might ask me how you react to it. Perhaps you could say whether or not you agree with the concept.

Following a review of the plan it was moved by Mr. Child, seconded by Mr. McNeece and VOTED that the Advisory Commission record itself as concurring in the basic concept of the plan identified as NS-CC 3232.

Item 8. Agenda Items and Date for Next Meeting

It was established that the next meeting of the Commission would be held on May 5 unless it is necessary to change this date because of plans for the trip to Fire Island.

It was determined that the Agenda would be worked out between the Commission Chairman and Superintendent Joseph.

Item 9. New Business

No new business appearing, the meeting adjourned at 5:10 p.m.

(For Administrative Use Only)

M I N U T E S

Fifty-seventh Meeting

CAPE COD NATIONAL SEASHORE ADVISORY COMMISSION

AT

Headquarters, Cape Cod National Seashore

South Wellfleet, Massachusetts

May 5, 1967

AGENDA

CAPE COD NATIONAL SEASHORE ADVISORY COMMISSION

Fifty-seventh Meeting

May 5, 1967

Item	Subject
1.	Adoption of Agenda
2.	Approval of Minutes of Previous Meeting
3.	Communications Received by the Commission
4.	Progress Report - Cape Cod National Seashore
5.	Exploration of Atlantic Ocean Gas & Oil Reserves
6.	Status of Town Owned Lands
7.	Master Planning Program
8.	Proposed South Wellfleet Beach
9.	Tentative Guidelines Re: Alterations etc.
10.	Commercial Property
11.	Proposed Scientific Committee
12.	Agenda Items and Date for Next Meeting
13.	New Business

The fifty-seventh meeting of the Cape Cod National Seashore Advisory Commission was held on May 5, 1967 at the Administration Building in the Marconi Station area, South Wellfleet, Massachusetts, with the following Commission members present:

MEMBERS	Recommended by
Joshua A. Nickerson, Chairman	Barnstable County
Leo E. Diehl, Vice Chairman	Secretary of the Interior
Robert A. McNeece, Secretary	Town of Chatham
John W. Carleton	Town of Truro
Josiah H. Child	Commonwealth of Massachusetts
Esther Wiles	Town of Wellfleet

OTHERS: National Park Service, U. S. Department of Interior

Stanley C. Joseph	Superintendent, Cape Cod National Seashore
George H. Thompson	Land Acquisition Officer, CCNS
Norton M. Bean	Chief Park Ranger, CCNS
James H. Bowman	Park Engineer, CCNS
Lyndell Baldwin	Secretary, CCNS

ALSO:

Henry G. McCarthy, Massachusetts Department of Natural Resources

Absent Commission members were: Ralph A. Chase (Town of Eastham), Arthur Finlay (Town of Provincetown) Nathan Malchman (Town of Provincetown) and Robert L. Yasi (Commonwealth of Massachusetts).

The meeting was called to order at 1:40 p.m. by Chairman Nickerson.

Item 1. Adoption of the Agenda

It was moved by Mr. McNeece, seconded by Mr. Diehl and VOTED to adopt the Agenda as printed.

Item 2. Approval of Minutes of Previous Meeting

MR. NICKERSON: Inasmuch as the Minutes were distributed at this meeting I suggest that we defer action on them until the next meeting.

Item 3. Communications

It was noted that all Commission members had received information about the Scientific Committee meeting to be held on May 20 and May 21. No further communications were reported.

Item 4. Progress Report - Cape Cod National Seashore

MR. JOSEPH: Several matters upon which recommendations have been submitted are ready for further review and action - these include the proposed guidelines that will assist in handling property owner proposals for moving, alteration or enlargement of existing one-family dwellings under existing regulations; review of the status of commercial properties and consideration of applications for extension of Certificates of Suspension of Condemnation, and recommendations concerning each such commercial operation. Progress to date on the planning for the proposed beach at South Wellfleet, final plans and call for bids for the proposed visitor center at Provincetown. Final word on the recommendations submitted concerning the golf course at Truro is still to be received but present indications are that a prospectus and bids will be required.

Negotiations pertaining to the proposed exchange of town lands with Eastham, involving lands for the Nauset Regional School District and proposed developments by the Seashore culminating in the recommendations contained in my memorandum of March 31 to the Director have been approved as follows:

1. The exchange of all town lands in Eastham north of Cable Road, totaling 99-1/2 acres for 72 acres of approximately equal value for school purposes has been approved and we are going ahead with that transaction. The list of town owned lands includes all town owned properties north of Cable Road. This list of land was revised in accordance with discussions with town selectmen following the Eastham Town Meeting on March 6. A town Warrant to be considered at a special town meeting on May 10 will be voted upon by Eastham to determine whether they approve.

2. Proposals by the town pertaining to a proposed exchange of land south of Cable Road pertaining to town plans and to right of way for proposed Seashore developments south of Cable Road are being given very careful consideration in the Washington Office and are pending completion of adequate and complete master planning so that everyone involved will know what is going on.

Due to the time required for adequate planning the exchange for the school lands has been approved separately so that the school problems can be expedited.

Under the heading of development there are several items. An invitation for bids has been issued under date of May 3 for the Province Lands Visitor Center. Bids are scheduled to be opened on May 24. A copy of the plans and specifications are available here for review. The specifications call for the work to be completed in 360 calendar days. It is expected that a similar bid invitation will be received very soon for the proposed out-door amphitheatre at Provincetown, at a site in the vicinity of the Visitor Center.

Two bids were received on May 2 for the construction of a 44 car parking area at the site of the Nauset Coast Guard Station, to serve the proposed lifesaving museum. The low bid was from the M. F. Roach Company in the amount of $14,736.

The M. F. Roach Company contract for roads, parking and revetment work at Provincetown has been completed with the exception of a few small correctional items to be accomplished by the contractor. M. F. Roach Company has resumed work on the Eastham road improvement and bicycle trail, the contract time runs through August 11, 1967.

A representative of the bonding company has indicated that they will sign an agreement with the M. F. Roach Company for completion of the bicycle trails in Provincetown, taking over and completing the work defaulted by the Macon Construction Company. The exact completion date is not known as yet.

The D. Cicconi contract for planting came to a close on May 3, 1967. This contract has worked out exceedingly well and all of the prescribed work has been accomplished within the contract time. It covers the planting work at the Visitor Center and the Administrative building. Invitations for Bid were issued on April 28 for exploratory test holes and water wells at Nauset Light, Hemenway Landing, Eastham Visitor Center, and Griffin Island in Wellfleet. Bids will be opened on June 1.

At the last meeting of the Advisory Commission only a few minutes were available for review of the developed area plan from Coast Guard Beach to the Marconi Station. This plan is available for further review. It is in the process of receiving Plan Review in the Washington office having been prepared by the Design and Construction office and recommended by the Regional office.

An extremely unusual activity in April resulted from the oil slick and time has been at a premium as a result; not only in connection with that episode but also the many other matters of importance referred to otherwise in this report and in the Agenda. It goes without saying that the usual activities are underway to provide for normal opening of facilities and the usual expanded services to visitors during the summer. In addition to such activities provisions are being made for intensive review of master plans during the summer.

The dates for the Annual Spring Wildflower Pilgrimage this year will be May 27 and May 28.

We are pleased to advise that Chief Park Naturalist Vernon D. Dame has arrived at Cape Cod and is now on duty. Among other assignments, in carrying on the interpretive program, he will have an opportunity to become acquainted with and work with the Scientific Committee which is convening on May 20 and May 21 as you have been previously informed.

MR. NICKERSON: Could you show us on that map approximately where Cable Road is located?

(MR. JOSEPH points out location on map).

MR. NICKERSON: At the lower end is where the 72 acres are. There is a piece of land running from Nauset Road to the ocean. Is that the only parcel the town owns in there?

MR. JOSEPH: This is not a solid block, but the town has substantial ownership.

MR. NICKERSON: You are saying "town owned lands to the north"; does this dispose of all the town owned barrier to the north?

MR. JOSEPH: Yes, everything.

MR. NICKERSON: If those negotiations should break down you still have access to Cable Road east of the 72 acres as a junction point, looking to the future development. What about that road that runs from the Coast Guard Station to Cable Road, is that owned by the Seashore?

MR. JOSEPH: Ocean View drive is a town way. The town donated Coast Guard Beach, Nauset Light Beach and Cable Road and Doane Road but not Ocean View Drive.

MR. NICKERSON: There would be access over the town way?

MR. JOSEPH: Presumably, but strictly from the standpoint of road design and good road circulation when the first proposition was made it called for a portion of the access to go on the town way. It clipped off about an acre of town owned land. These developments call for good joint planning; you will find later as we come to implementing our plans that we need to know what the town plans and the town needs to know what we plan. But we will always continue to do our best to get our planners the best possible terrain. All the town will act on at this time is the first half, north of Cable Road. I suggested this to expedite the land exchange for school planning purposes.

MR. NICKERSON: Why are you having test borings at the Visitor Center? Don't you have a water supply there?

MR. JOSEPH: Yes, but not enough.

MR. MCNEECE: Are these test borings just for serving a small area? No connection with developing a source of water that might be used by adjacent towns?

MR. JOSEPH: No. Just a supply for drinking fountains and rest rooms; the same as at Pilgrim Spring.

MRS. WILES: I notice some new roads being opened up in Eastham. Are they town roads?

MR. JOSEPH: That is one of the contracts I mentioned. It has been on Stop Order all winter. It is a half mile strip on Doane Road near the Visitor Center where it was decided and plans called for this road to take heavy traffic from in front of the improved properties in that area.

MR. CHILD: How about the bicycle trails. At one time you mentioned there would be a grand opening on May 30. Is that still planned?

MR. JOSEPH: No. We have had to change our signals because of the difficulty in getting them finished due to the contractor going bankrupt, and other difficulties involving some other capable source of labor on the Cape. The bonding company will get this work done as quickly as possible just as soon as they can complete arrangements. We have advised some of the Bicycle Club groups, including the one which Dr. White was to accompany, that the opening would probably have to be postponed until Fall.

MR. CHILD: You will let them use the trails in the meantime?

MR. JOSEPH: Oh yes.

MR. NICKERSON: When will they be finished?

MR. JOSEPH: Perhaps in two months; as soon as a contractor can get in and do the necessary work.

MR. CHILD: Do you allow the public to use them any time they wish?

MR. JOSEPH: We have not been enforcing any restrictions. While they are working we will have to put a sign up saying in effect "don't go beyond this point".

MR. THOMPSON: Ten (10) options were negotiated, comprising thirteen (13) tracts and covering fifty-seven (57) acres during the month of April.

A total of seven hundred and eighteen options covering eight thousand four hundred and ninety-eight (8,498) acres have now been secured.

Seventeen (17) closings, comprising twenty-one (21) tracts and covering sixty-six (66) acres were accomplished. This brings the number of closings to five hundred and eight (508), giving the Government title to six thousand four hundred and forty-five (6,445) acres.

A total of eight-nine (89) appraisal reports were received covering seventy-four (74) new tracts and updating fifteen (15) former appraisals. Three (3) assignments for updating appraisals were made.

Twenty (20) assemblies requesting final title opinions were submitted to Washington, bringing the total tracts for which final opinions have been requested to ninety-four.

During Mr. Harriman's visit the early part of the month a list was prepared of properties which will be scheduled for acquisition during the remainder of the fiscal year.

Mr. Harriman wanted to insure we were including in the future acquisition program land that would be needed for public development in Truro and in Wellfleet going from U.S. Route #6 and following around Griffin Island and Duck Harbor.

MRS. WILES: What did he say about Duck Harbor?

MR. THOMPSON: There is a town owned beach at Duck Harbor and a town owned road and it is well known that the town wishes to retain this area. This is a step that has to be taken before further consideration can be given to a general public use plan as to where you would put a road and bathing facilities.

MR. NICKERSON: Is it proposed to put a bathing facility at Duck Harbor?

MRS. WILES: They should put it on Great Island where they have the best and safest bathing. It is very safe there and there are two temperatures of water.

MR. JOSEPH: I think the master planners will have a good deal to say about where the facilities are going.

MR. NICKERSON: This master plan review was scheduled for 1966 I believe.

MR. JOSEPH: It was; simply because they like to revise the master plan every three years.

MR. NICKERSON: If you expect a revision this year we would like to have it as a separate item on our Agenda before it is finalized.

Item 5. Exploration of Atlantic Ocean Gas & Oil Reserves

MR. MCNEECE: This committee that has been working on the problem had a meeting in Boston a couple of weeks ago to which were invited representatives of the Bureau of Sprots Fisheries, Trustees of Reservations and others. As a result of that meeting it was concluded that this area off here should be set aside as sort of a conservation area both because

of its importance as a marine fishery resource and because of its strategic location in relation to the National Seashore and other recreational areas along the coast of Massachusetts. With that position having been voted, we met with members of the Department of the Interior in Washington the following week through the office of Congressman Hastings Keith. Naturally they couldn't make any committments for their departments but they accepted the proposition that a committee be set up that would include representatives of the fishing industry, recreational interests, the oil industry and the Commonwealth of Massachusetts and of course the Interior Department to study the problem and come up with recommendations. It was suggested to them that one of the items to be covered should be that this area be set aside as an area where there would be no development of oil or gas or minerals, and if there was to be any exploration it would be undertaken by a government agency and that private industries would not be permitted to explore within this area. It was pointed out that with the great attention that is being devoted to the ocean now and the indication of rapid exploitation in some parts of the country, that we might soon find ourselves in the same situation we have reached in our land values, and we would have nothing left of the shore that would be set aside for pure research, experiments and so on. To me it makes sense. We have reserved this priceless area of land here for the

Seashore and of course the Seashore is nothing without the sea; and the sea, if it is going to be a polluted sea is going to result in a polluted Seashore. As I say this was accepted as something to be considered by the proposed committee. The upshot of that particular meeting was that our committee was to write Congressman Keith and he in turn would communicate with Secretary Udal requesting that such a committee be formed, and we requested that meanwhile they consider that no more permits be issued for exploration within an area to be agreed upon until this committee had concluded its study. As of now we are assured that there are no permits outstanding except for one that was granted to a combine including the Humble Oil Company which had an exploration program started down off the Florida coast and coming North. When they reached the Georges Banks area there was one point 140 miles off shore where they were making a core test; from that point they will skip Georges Banks area and they may proceed further North beyond Georges Banks. To our knowledge there are no other permits in being, nor are there any applications for any other permits. Apparently the oil industry has felt that because of what happened last Fall this should all be worked out before they go too far with these explorations, so as of the moment these problems have been made known to representatives of the Interior and as I said we expect the Committee will be appointed to probe further. As far as Massachusetts is concerned I don't know what the attitude of the administration is. Mr. Yasi was at this

meeting in Washington. I would hope that if we are successful in gaining our point, the Commonwealth of Massachusetts would be on our side. After the recent experience we have had with oil on the beach here - of course this could happen any time whether we have wells or not - but this accentuates the damage to this shoreline if oil wells were not there, and if the same thing happened to oil wells offshore that has happened in other parts of the country, no one could dispute that there could be greater damage if we had them than if we hadn't. We have seen what could happen to our shoreline. If this should happen on July 4 or if we had anything happen like the Torry Canyon disaster it would effect us for years. It seems to me that this effects the National Park Service and certainly this question should be of extreme concern to this Commission. One thing that has bothered me a little bit about attending these meetings is that I am frequently being introduced as being a member of the Cape Cod National Seashore Advisory Commission, and I hate like the devil to say anything that indicates I am expressing the opinion of the Commission and I try to avoid that, but you can't help having some people think you are talking for the Commission even when you don't intend to. If this Commission had rather in any future meetings that I do not make any out and out statement which could be considered as representing this Commission I would like to know it. On the other hand if you would like to have me whenever it is wise, to make any statement that would I feel reflect your opinion, I would like to

know also. And I would also like to know just how this Commission feels about all this business. We have gone on record in a rather mild way at previous meetings but never too forcefully.

MR. DIEHL: Could you tell me who makes up this committee?

MR. MCNEECE : It is forming and will include representatives of the Department of Interior, representatives of the Commonwealth of Mass., representatives of the commercial fishing industry, the recreation industry, the tourist industry and the oil industry.

MR. NICKERSON: What is their function to be?

MR. MCNEECE: To study the problem using whatever means may be necessary; requesting the cooperation of the Bureau of Commercial Fisheries and the Bureau of Sports Fisheries and others.

MR. NICKERSON: Who would appoint them?

MR. MCNEECE: They would have to be appointed by the Secretary of the Interior,

MR. NICKERSON: As of now no appointments have been made?

MR. MCNEECE: No.

MR. DIEHL: Your recommendation is the formation of such a committee?

MR. MCNEECE: Apparently it was decided by Bob Yasi and our Committee that this would be a good way to work this out.

MR. NICKERSON: You have asked to know how this Commission stands with respect to the problem.

MR. MCNEECE: Do we as a Commission feel that this area should be so preserved?

MR. DIEHL: Are the members named; has Secretary Udall decided to name any?

MR. MCNEECE: Names may be suggested to him and usually recommendations by our Congressmen are considered.

MRS. WILES: You mean to tell me that you have to sell this program to the Department of the Interior which is for conservation?

MR. MCNEECE: They also have to see about oil for running the War in Vietnam. They have to know where oil reserves are, that is for our National interest of course, but we feel they can make that determination in this area with the assistance and advice of the Committee we propose.

MR. NICKERSON: How does this Commission stand?

MRS. WILES: I thought we made it clear that we are for this preservation. It seems ridiculous that we have to sell this program to Mr. Udall.

MR. NICKERSON: The Department of the Interior has many functions; one is the preservation of mineral and oil resources, another is the conservation of this area.

MRS. WILES: If they are going to destroy what they have here they might as well give it back to the people.

MR. CHILD: Isn't it a case of whether we should support everything Mr. McNeece has said and allow him to speak for us? Wasn't this the question?

MR. DIEHL: I would like to have a member of this Commission designated. Why can't we ask if there will be a member of the Advisory Commission? If so, I would like to have Mr. McNeece designated.

MR. NICKERSON: I don't think that choice would be ours, but I agree with you. Maybe that should be our recommendation to the National Park Service.

MR. JOSEPH: Unless you have some more information to explore through what Bob (McNeece) has said (and his information is obviously later than what I have) - I would like to recall to you your resolution at the last meeting that the National Park Service keep itself well informed on the progress of the consideration that is being given to off shore oil exploration, and read you a copy of a letter which was forwarded to me on April 27. The letter is addressed to the Northeast Regional Director of the Service at Philadelphia, it is signed by Acting Assistant Director Arnberger under the subject of "Exploration of Atlantic Ocean Oil and Gas Reserves, Cape Cod National Seashore" and reads as follows:

"In conjunction with Superintendent Joseph's memorandum of January 30 and yours of February 13, (L2427), we are enclosing the report requested by this office from the Director, Geological Survey, on the subject matter." The report enclosed with this letter is dated April 7, 1967 and is addressed to the Director, National Park Service, Through Assistant Secretary, Mineral Resources and Assistant Secretary, Fish and Wildlife

and Parks, it is signed by Acting Director Arthur A. Baker of the United States Department of the Interior Geological Survey under the same subject as the same subject as Mr. Arnberger's letter, and reads as follows:

Your memorandum of March 23 and the enclosures relating to the possibility of oil and gas development off the coast of Cape Cod inquired as to whether such development would be likely to result in damage to aquatic life, contamination of the beaches, or damage to coastal fisheries.

The issuance of Federal oil and gas leases is a necessary prerequisite to the drilling of oil and gas wells in the Federal area of the Atlantic Ocean. None have issued and there are no plans for the immediate offering of such acreage for lease; consequently, the possibility of any such development drilling in the near future is substantially nonexistent.

If and when such drilling does occur, it would be authorized only under regulations and orders designed to afford maximum protection to aquatic life, beaches, and other natural resources. The knowledge gained in drilling on the Outer Continental Shelf of the Gulf of Mexico and Pacific Ocean has demonstrated conclusively that the development of oil and gas need not be destructive of other values, and the Bureau of Commercial Fisheries is available for consultation on any problems involving aquatic life or commercial fishing operations. Therefore, it is our judgement that the possibility of any damage occurring as a result of such operations would be extremely remote.

Prior to the issuance of leases, the only work that is likely to occur off Cape Cod is for the purpose of geological and geophysical investigations. Geological investigations, we believe, will consist, primarily, of the drilling of core holes to a limited depth on the Outer Continental Slope, the area beyond the shelf. The geophysical investigations may utilize nonexplosive or explosive techniques and only the latter technique can be harmful to aquatic life. Permits for the use of explosives will not be issued prior to consultation with the Bureau of Commercial Fisheries and other interested parties and only after a determination that such operations will be compatible with and not unduly harmful to fishing interests. The Survey is alert to this problem and maintains a close liaison with the Bureau of Commercial Fisheries. At the present

time, however, no geological or geophysical investigations of any kind are underway, nor are any authorizations for such work outstanding, on Georges Bank off Cape Cod.

We hope that the foregoing will allay the concern expressed by your agency and the Cape Cod National Seashore Advisory Commission that oil and gas development may be conducted improperly or be injurious to existing values in the Cape Cod area.

Now that is signed by the Director of the Geological Survey and I felt that since you had initiated the action through us, I would report back literally.

MR. MCNEECE: In his letter he said it has been demonstrated conclusively this could be done without destruction to other values. We have evidence to the contrary.

MR. JOSEPH: That letter will have to stand on its merits.

MR. DIEHL: Can you release it for publication?

MRS. WILES: Did they really find out what caused the oil slick on the water or aren't they telling?

MR. NICKERSON: The answer is, we don't know.

MR. JOSEPH: The Federal Water Pollution Agency, a unit of the Interior Department, had their people pick up samples and they made a chemical analysis and the report was submitted through channels. It was a type of bunker oil, using a broad term, the type used for firing boilers for such things as ships, but no specific source of leakage or pumping or what it came from has been found out. Literally, no one seems to know.

MR. NICKERSON: Isn't it the position of this Commission that we would be in opposition to anything that had even a remote likelihood of damaging the values which the seashore is intended to preserve, whether it be oil exploration or something else? Putting it on a broad basis rather than specific.

MR. MCNEECE: Would the Commission be inclined to favor setting up a conservation area of the sea?

MR. NICKERSON: Is it going to make much difference? Say there were set up a three mile district; what difference does it make, oil can come in from a long way off. It would change your aesthetic values.

MR. MCNEECE: In a recent science magazine a member of the President's Science Commission said we have made the land ugly and now there is a danger that we may make our sea ugly. If there were no misfortunes as a result of oil rigs, why did Lloyds of London double their insurance rates? Because there are so many of them blown over by high winds off the coast of the states of Washington and California, Texas and Louisiana. The oil industry has resulted in injury to the fishing industry and to the natural resources. They have been a constant headache to the states according to official bodies within the states. The head of the Geological Survey must have reports given to him by people who have not made sufficient studies of particular areas. I don't know where he gets his information, but we have information to the contrary, and I would expect any Committee

appointed by the Secretary of the Interior would endeavor to find out the accurate facts. I still maintain as long as you put wells out, first of all, if you let the industry conduct explorations out there, they are not going to spend money out there unless they expect to get it back through development, therefore they should be stopped. If you have oil wells out there you have a greater change of pollution and injury to marine fisheries than if you don't have them out there and this just makes sense. It has not been proven as far as I can see that the need for pumping oil out of this area is so urgent that it needs to be done in the forseeable future. Out of this vast amount of ocean around us can't we set a little piece aside and protect it. If they are going to do research in some part of the ocean where they need clean water lets save some of it for that purpose at least.

MR. DIEHL: The public hasn't seen these needs; but the day after our last meeting everybody was notified.

MR. NICKERSON: We are an Advisory Commission to the Park Service, don't we want to express ourselves again to the effect that the Park Service should take every possible action to prevent either pollution of the waters adjacent to the national seashore or the intrustion of ugliness of whatever nature, and furthermore to the protection of the natural conditions of the sea adjacent to the seashore?

MR. CHILD: I think we should go further and give Mr. McNeece a vote of confidence and also request that he represent us.

MR. NICKERSON: I would agree, but don't you think we have to . . . .

MR. MCNEECE: You don't want to endorse a conservation area?

MR. DIEHL: Why don't we go on record as opposing any further action until this Committee is appointed?

MR. MCNEECE: It is recommended to the Secretary of the Interior that such a Committee be appointed and there is every likelihood it will be; if you will take the position no more exploration be permitted until a Committee such as has been proposed ~~has been~~ able to study the matter.

MR. NICKERSON: The ~~Secretary~~ wears two hats; one in respect to oil reserves and one with respect to the actual values of the seashore. Inasmuch as we are responsible to the second we would be justified in urging upon him . . . .

MRS. WILES: I should think if you really wanted to make it strong you would say we are very much opposed to any exploration that would endanger . . . .

MR. NICKERSON: Then you are pre-judging.

MRS. WILES: Mr. McNeece has already told us what has happened.

MR. DIEHL: Recommend to the Secretary that no more exploration for oil be permitted off the shores of Cape Cod until such Committee as Bob Yasi has suggested has had a chance to study.

MR. NICKERSON: And think you should be opposed to anything which might cause pollution or ugliness or damage to the natural habitat of the waters.

MR. CARLETON: I agree in general as far as this drilling is concerned; it is going to be several hundred miles out. They are going to drill in Nova Scotia and the flow of water is going to come this way. We can't do anything about that.

MR. NICKERSON: We don't deny that nor do we say this line should be off the coast of Cape Cod. The ocean currents are going to be of quite a vital concern. The only thing we can do is do the best we can for that which we have control over.

MR. MCCARTHY: I think at a meeting here in April I made the statement that I had been informed by responsible oil people that oil drilling could be made just as antiseptic as a hospital. At that time I am sure Mr. Carleton agreed with me. With due respect to the Interior Department and I have a great respect for the Department, the strong statements they have made they certainly have not made facetiously. There is an area here where I seem to get the impression that offshore drilling in and of itself automatically causes pollution. Who is right here?

MR. MCNEECE: I said that the chances are greater if you have them than if you don't have them.

MR. NICKERSON: The other statement made in the report said "it need not be....."

MR. MCNEECE: And on Long Beach they have recently had a pollution problem caused by an oil well developing a leaky valve. They just can't be absolutely certain as far as problems of this kind are concerned.

MR. NICKERSON: Hospitals can be antiseptic to a degree, but one of the great nightmares of the hospital administrator is the possibility of infection, which is one reason why they don't let open surgery recover in the obstetrical department. It is a good similie if you don't analyze it too far.

MR. MCNEECE: As I said before the one who headed the Science Advisory Committee for the President made the statement that he himself feared what man was doing to the ocean.

MR. NICKERSON: Let's review what has been said and make our resolution to the Secretary.

It was moved by Mr. Diehl, seconded by Mr. Child and unanimously VOTED that this Commission recommend to the Secretary of the Interior that no more exploration for oil be permitted off the shore of Cape Cod until such time as the Committee proposed for the study of the problem has made its report to the Secretary of the Interior.

MR. NICKERSON: What shall we do in respect to Mr. McNeece? If we are in agreement we should authorize him to be our respresentative whenever he thinks it is the proper time to do it. We should go on record also as opposed to anything which would cause unclean or polluted conditions.

MR. MCNEECE: That the Secretary of the Interior give consideration to the possibility of declaring an area of the water to be a conservation area and no other industrial development be permitted?

MR. NICKERSON: Recommend to the Secretary of the Interior that he give consideration to establishment of a substantial ocean area to be set aside to prevent anything that would cause damage to the ocean or pollution in the ocean?

It was moved by Mrs. Wiles, seconded by Mr. Child and unanimously VOTED that the Commission suggest to the Secretary of the Interior that he consider the advisability of setting aside a major section of the ocean in the vicinity of the National Seashore to be preserved for marine fisheries, recreational and natural values.

It was moved by Mr. Child, seconded by Mrs. Wiles and affirmatively VOTED that Mr. McNeece when he meets with any of the Committees he is meeting with now, represent the Advisory Commission on that Committee and we give him full authority to express the opinions of the Advisory Commission as he interprets them. To speak in our behalf expressing the opinion of this Commission as he interprets it.

MR. CHILD: The next point is that we ought to express to the Secretary of the Interior that we would hope he would appoint a member of our Commission on his Committee, and that member be Mr. McNeece.

MR. NICKERSON: Wouldn't that suggestion be better made unofficially than officially?

Item 6. Status of Town Owned Lands

MR. NICKERSON: You will recall that at a meeting some time ago Mr. Yasi raised this question.

MR. JOSEPH: This letter came in on the day of the last Commission meeting, but not early enough for me to read it to you. This is a copy of a memorandum dated April 12, 1967 from William W. Redmond, the Regional Solicitor of the National Park Service in Philadelphia, and it is addressed to the Northeast Regional Director, the subject is "Acquisition of land - Cape Cod National Seashore" and it reads as follows:

By memorandum, dated March 22, 1967 from the Acting Assistant Regional Director, Operations, I am informed that the Cape Cod National Seashore Advisory Commission, at its meeting on March 3, 1967, requested an interpretation of Sec. 2(a) of the Act of August 7, 1961 (75 Stat. 284; 16 U.S. Code Sec. 459b-1), the Act which provides for the establishment of the Cape Cod National Seashore.

Section 2 (a) relates to acquisition of property within the boundaries of the Seashore and authorizes the Secretary of the Interior:

> "to acquire by purchase, gift, condemnation, transfer from any Federal agency, exchange, or otherwise, the land, waters, and other property, and improvements thereon and any interest therein".

Section 2(a) further provides, in pertinent part that:

> "Any property, or interest therein, owned by the Commonwealth of Massachusetts, by any of the towns referred to in section 1 of this Act or by any other political subdivision of said Commonwealth may be acquired only with the concurrence of such owner".

The Advisory Commission has raised the question whether the word "owned" in the last excerpt from the Act refers to land owned by the Commonwealth of Massachusetts or any of its political subdivisions at the time of the enactment of the enabling legislation or whether it includes land subsequently acquired.

In my opinion, the plain language of the Act prohibits the condemnation of lands owned by the Commonwealth of Massachusetts or its political subdivisions regardless of when such lands were acquired. I think we must follow the familiar rule of statutory construction that, when the language of a statute is clear and unambiguous, there is no occasion to go behind the plain meaning of the words. Had the Congress intended a different result, it would have been a simple matter for it to have inserted in the section in question some such phrase as "owned as of the date of this Act", or "heretofore acquired".

MR. NICKERSON: As applied to the specific problem faced at that time, if the town of Truro acquired the land in question prior to action by the Seashore, the Seashore would not have the right of condemnation, so that if the Seashore wished to prevent the town from acquiring it would have to take condemnation procedures prior to the action by the town.

MR. MCNEECE: Has Truro taken this step?

MR. CARLETON: Yes.

MR. MCCARTHY: I might mention that there would be another possibility in the case of the town taking a piece of property for tax purposes.

MR. NICKERSON: It wouldn't make any difference how the town acquired so long as it had title.

Item 7. Master Planning Program

MR. JOSEPH: You suggested Mr. Chairman that this would be a good time to bring this up; I know from personal contact etc., that the due date for reviewing our Master Plan is July 1, 1967. This does not mean that it will be complete, but studies will be undertaken and time will be required in pursuing this properly. There is a considerable body of information incorporated in the Park Planning Handbook which we will all review. In regard to the use of the Master Plan pending approval the Handbook has this to say:

"As a management document the Master Plan is to be distinguished from an architectural drawing or building plan. Accordingly, pending review by the Director, the Master Plan shall not be disseminated to the public or otherwise made available for review by other than Service personnel, except for those directly involved in the preparation of the documents contained therein, since it only contains recommendations to the Director involving management decisions, authority for which the Director has reserved to himself, except for delegations he has made to the Deputy Director or the Associate Director.

"Typical of those who may be directly involved in preparation of Master Plan documents are cooperating Federal, State and local governmental agencies, concessioners, Advisory Commission members at some parks, etc. In this connection, it is to be remembered that persons holding collaborator and consultant appointments are considered to be Service personnel and are frequently invited either to participate in the preparation of the Master Plan or to review some aspect of it.

"Draft copies of the Master Plan, used for review prior to approval, except for the original to be transmitted to the Director for review, shall be stamped PRELIMINARY WORKING DRAFT. When the Master Plan has been reviewed and approved by the Director, it shall be duplicated for distribution to the public with adequate supplies of the duplicated plan being made available at the Park, Regional Office, and the Washington Office for public distribution upon request. In those cases where public comments are to be sought prior to final approval, as in the case of some proposed wilderness designations, the master plan shall be distributed for public review and comments by the Director."

MR. NICKERSON: That means we would be having access to the Master Plan before it is final.

MR. JOSEPH: Yes. Those who write these things to guide us have provided abundant, clear provisions for opportunity for Advisory Commissions to review and comment on the preliminary working drafts.

Item 8. Proposed South Wellfleet Beach

MR. JOSEPH: (Showing plan) You saw this at the last meeting but here it is again if you want to go a little further. (Explains precise status of plan.)

MRS. WILES: There is criticism that the Park wants these roads away from the ocean. People complain that when they come here they don't see the ocean from Eastham to Provincetown.

MR. JOSEPH: I have felt that by moving this road from the ocean you reduce indiscriminate climbing over the dunes. In Eastham particularly there are a number of improved properties in the vicinity of the road and one thing we are obliged to do under the Act is not diminish the enjoyment of the improved property. In the Nauset Light area there is a large degree of congestion, almost to the degree of frustration.

MRS. WILES: It is not my criticism but people coming here expect to see the ocean and they don't.

MR. NICKERSON: If you put people in vehicles right up along the water front you then destroy the very values they come to enjoy; if you require them to make an effort to get them then those values will be

preserved. You have to think not in terms of 1967 but 1990. You are going to have from three to five times as many people utilizing these roads as you have today.

MR. JOSEPH: I feel myself that certain sections might well be closer to the beach and you might in this particular plan select a point where you would get a vista of the ocean and you might have spur roads or an overlook. I feel sure the plans also have in mind that this road will relieve some of the heavy traffic on US Route #6.

MR. CHILD: Is there any protection against erosion being planned at the Marconi site? If not this is going to have to be moved back. With so many visitors using that point as a beach access it is doing a lot of damage to the dune.

MR. JOSEPH: Jim (Bowman) may be able to give you a more up to date answer of the study going on to control it this year.

MR. BOWMAN: We have two fences up and we are going to put more up and over the bank we are considering a type of snow fence as this has proven to discourage people going down into that. Also we are going to try to have Naturalist or Ranger personnel on duty at that point on a full time basis, because we know we will need this in addition to the fence. We are going to try to discourage public use of the beach or at least access to the beach at this point. We feel that with the possibility of the South Wellfleet beach in use near here that this will help us.

MR. JOSEPH: We always face the dilemma of which beach area to leave natural and at which area to place stairs. At highly developed Herring Cove in accordance with your suggestions Jim (Bowman) is putting in some stairs or ramps, but only in selected spots.

MR. CHILD: I hope in the planning there will be some parking areas on the road between Herring Cove Beach and Race Point.

MR. JOSEPH: This will depend somewhat on the capability of getting extra funds.

MR. CHILD: Couldn't we get it on the next Master Plan?

MR. JOSEPH: I should say that this plan we are studying here of the proposed beach development in South Wellfleet is a preliminary plan, subject to review by the Director. They are available for our review at this point, but not to be released until the Director has approved them.

Item 9. Tentative Guidelines Re: Alterations etc.

MR. JOSEPH: We have available for you a copy of a tentative draft of proposed guidelines which has been prepared by the Regional Solicitor based upon a submission I have sent him, and he has reviewed this from the standpoint of what he thinks is proper and feasible and within the existing standards, but the law also provides that the law can be changed. We are providing a copy for you so that you may review this material and make some comments. I would like to read you a letter which Regional Solicitor Redmond enclosed with the guidelines when he returned them to me: (Reads)

Jack Davis and I have reviewed and made suggested revisions in the proposed guidelines relating to the application of zoning standards to improved properties located within the boundaries of the Seashore.

I think that the guidelines in your most recent proposal are appropriate and in conformity with the conclusions we have reached in the matter. However, I think that in order to facilitate implementation and amendment of the guidelines from time to time, the format followed in the attached revision is recommended.

The most significant change from your proposed guidelines occurs with respect to the complete reconstruction of a one-family dwelling. Under the standards I think we can permit reconstruction where the property is destroyed by causes beyond the control of the owner, but where the owner razes or removes the dwelling which gave the property its status as improved property, I think the proper position for us to take, pending a change in the standards, is that the property loses its status as improved property.

You will also note that I have left the definition of a cottage colony to you as I feel that you are more capable of defining it than I am. I do feel, however, that if we grant the status of improved property to an existing cottage colony, we should not permit the construction of additional cottages.

You will note that I have not included in the revision certain guidelines which you had proposed relating to historic structures and the distinctive Cape Cod character of existing residential structures. It may be that after consulting with the Advisory Commission you will wish to add guidelines relating to these and other situations. If so, you should feel free to do so since it is difficult to envisage all of the situations which may arise in applying the standards and zoning bylaws.

You may recall that I mentioned in a previous meeting that Mr. Redmond would be glad to come up and meet with you and discuss these guidelines if you would like to have him do so.

Item 10. Commercial Property

MR. JOSEPH: We have been advised by telephone from our Regional Office of their approval based on your review and our recommendations, to extend

existing Suspension of Condemnation Certificates for terms up to five years. We will proceed to communicate with owners of commercial property who have Certificates and will also contact all other owners of commercial property to see if they desire to apply for a Certificate. I have had a telephone inquiry from Del Johnson of the Governor Prence Motor Lodge in Truro with reference to a permit, and we expect to receive a formal application from him.

MR. NICKERSON: When does his expire?

MR. JOSEPH: It can't expire in any event before December 31, 1968, but we have no evidence in this office that he has been issued a Certificate. However, I would waive the lack of a Certificate as an informality and if he does apply this will be brought to you for your review.

We have issued a Suspension of Condemnation Certificate to Arthur F. Joseph of Truro for the operation of his sand pit through December 31, 1968 and providing for review by the Board of Selectmen of Truro and the Advisory Commission before this date to consider its possible renewal.

We have received an application from Laurence Souza in the form of a letter to seine net in Pilgrim Lake for carp to be sold commercially, and I feel that unless both the Commission and the State endorse this, the request will have to be denied as a commercial operation.

MR. NICKERSON: The Act gives the Secretary authority to make regulations but does it give him the authority to issue permits?

MR. JOSEPH: This is something that wasn't contemplated and therefore it is sort of a grey area. We have issued permits only in cases where we have inherited commercial operations.

MR. MCNEECE: Was this an operation that was carried on by him before the Seashore was authorized?

MR. JOSEPH: He states he did it before the Seashore; then he ran up against control by the Commonwealth, and the use of boats or motors, which is prohibited.

MR. NICKERSON: I think there is a State provision against seining in fresh water.

MR. MCCARTHY: Would you find yourself in an indefensible position about issuing a permit if the Fish and Game Division approved? I ask would it not be better, to not necessarily advertise, but put in a release an invitation for bids, for by so doing you would then be able to give the permit to the highest bidder.

MR. NICKERSON: This would be a commercial use within the Seashore.

MR. JOSEPH: This would be one method.

MR. NICKERSON: I think we better find out whether we are in conflict with State regulations and report at the next meeting.

Item 11. Proposed Scientific Committee

MR. CHILD: I certainly appreciate what Mr. Joseph has done in outlining the program and taking care of the correspondence; you have all had copies of this material in the mail. It seems to me this is a very good program and I hope we can stick by it. Mr. Joseph and his wife have offered to give a picnic lunch. I think this is very generous, I would offer to help Ruth(Joseph) with that picnic lunch and bring something. We want to stress that all of the Commission members are invited to take part in this program.

MR. NICKERSON: I think too that you have arranged an excellent program here. I think it would be helpful if you could have some sort of a badge for Commission members with their names showing (in big letters).

MR. CHILD: I think it would be a good idea though if we provided time for them to be left alone to organize their Committee, perhaps after the dinner on Friday evening.

MR. CARLETON: Is there any thing new regarding the golf course in Truro?

MR. JOSEPH: No.

MR. CARLETON: What does Del Johnson (Governor Prence Motor Lodge) have to do. He wants to know what he has to do to stay in business.

MR. JOSEPH: My recommendations, and you may decide on something else, are based on no expansion. I would recommend, subject to the concurrance of the Advisory Commission, that he be issued a Suspension of Condemnation Certificate through 1968 and an extension for another five years.

MR. NICKERSON: As a practical matter he would be permitted to operate through 1968.

MR. CARLETON: Anything new on the Fire Island Trip?

MR. JOSEPH: We did talk with Col. Weil after checking with the Director; he wants to go along. If I hear from the Air Force it will probably be that it is set up for May 15. Do you want me to push it a little harder? If so I will call the Colonel on Monday.

MR. NICKERSON: I would like to ask about the status of the visit of the representative from the Old Dominion Foundation.

MR. JOSEPH: We do have a letter from him asking us to contact him again if he does not do so first. I haven't followed up until we can figure out a date we would like to ask him to come.

MR. NICKERSON: I think we should have someone from Washington or Philadelphia who is responsible for public relations present at this meeting; I suggest we try to do that in June.

MR. JOSEPH: Would you like to take a look now at the plans for the Province Lands Visitor Center? (The Commission spent some time reviewing the plans).

COMMISSION MEMBER: Shall we release our resolutions to the Secretary to the press today?

MR. CHILD: I would release Mr. McNeece's whole statement to the press.

MR. JOSEPH: I think maybe the resolutions should be sent to the Director signed by the Chairman of the Commission before they are released to the press.

Item 12. Agenda Items and Date for Next Meeting

The date for the next meeting was determined as June 2. Agenda items to be prepared by the Chairman and Superintendent Joseph.

Item 13. New Business

No new business appearing the meeting adjourned at 4:40 p.m.

(For Administrative Use Only)

M I N U T E S

Fifty-eighth Meeting

CAPE COD NATIONAL SEASHORE ADVISORY COMMISSION

At

Headquarters, Cape Cod National Seashore

South Wellfleet, Massachusetts

June 2, 1967

AGENDA

CAPE COD NATIONAL SEASHORE ADVISORY COMMISSION

Fifty-eighth Meeting

June 2, 1967

Item	Subject
1.	Adoption of Agenda
2.	Approval of Minutes of Two Previous Meetings
3.	Communications Received by the Commission
4.	Progress Report - Cape Cod National Seashore
5.	Proposed Guidelines Re Improved Property Alterations
6.	Commercial Property
7.	Agenda Items and Date for Next Meeting
8.	New Business

The fifty-eighth meeting of the Cape Cod National Seashore Advisory Commission was held on June 2, 1967 at the Administration Building in the Marconi Station area, South Wellfleet, Massachusetts following a morning field trip to commercial operations in the Truro and Wellfleet area. The following Commission members were present:

MEMBERS	Recommended By:
Joshua A. Nickerson, Chairman	Barnstable County
Leo E. Diehl, Vice Chairman	Secretary of the Interior
Robert A. McNeece, Secretary	Town of Chatham
Josiah H. Child	Commonwealth of Massachusetts
Esther Wiles	Town of Wellfleet

OTHERS: National Park Service, U. S. Department of Interior

William W. Redmond	Regional Solicitor, Northeast Regional Office
Stanley C. Joseph	Superintendent, Cape Cod National Seashore
George H. Thompson	Land Acquisition Officer, CCNS
Norton M. Bean	Chief Park Ranger, CCNS
James H. Bowman	Park Engineer, CCNS
Lyle E. Jamison	Administrative Officer, CCNS

ALSO: Henry G. McCarthy, Massachusetts Department of Natural Resources and Stephan R. Perry, Selectman, Town of Truro.

Absent Commission members were: John W. Carleton (Town of Truro), Ralph A. Chase (Town of Eastham), Arthur Finlay (Town of Provincetown), Nathan Malchman (Town of Provincetown) and Robert L. Yasi (Commonwealth of Massachusetts).

The meeting was called to order at 1:25 p.m. by Chairman Nickerson.

Item 1. Adoption of the Agenda

MR. NICKERSON: Leo (Diehl) is there something else you would want placed on the Agenda to be discussed later?

MR. DIEHL: Yes. I think we should have our land acquisition funding put on the Agenda.

MR. MCNEECE: I move this Agenda be approved with the addition of this item.

The Motion was seconded by Mr. Child and affirmatively VOTED.

Item 2. Approval of the Minutes of Two Previous Meetings

MR. NICKERSON: What is your pleasure with regard to the Minutes of the 56th Meeting?

It was moved by Mr. Child, seconded by Mr. Diehl and VOTED to approve the Minutes of the 56th Meeting.

MR. NICKERSON: On page 21 of the Minutes of the 57th Meeting in paragraph 5 in the second line the word "actual" should be changed to "Natural" so that the sentence will read: "The Secretary wears two hats; one in respect to oil reserves and one with respect to the natural values of the seashore."

It was moved by Mr. Child, seconded by Mr. Diehl and VOTED to approve the Minutes of the 57th Meeting with the above change noted.

MR. NICKERSON: I would like to change the order of the meeting in order to accommodate Mr. Redmond and take up:

Item 5. Proposed Guidelines. Before we go into that I think everyone has had a copy of the tentative draft dated May 1, 1967. I would like

to call attention, for the purpose of clarity in this discussion, to the specific meaning of "improved property" as designated for the purposes of this Act. When we refer to "improved property" we are talking of "improved property" as defined in the Act which reads as follows:

"Sec. 4 (b) (2) (d) The term '"improved property"', wherever used in this Act, shall mean a detached, one-family dwelling the construction of which was begun before September 1, 1959 (hereinafter referred to as '"dwelling"'), together with so much of the land on which the dwelling is situated, the said land being in the same ownership as the dwelling, as the Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any structures accessory to the dwelling which are situated on the land so designated . . . ."

This is important because we have in previous discussions sometimes gotten confused. We want to be sure we are talking about this type of property as defined in the Act which says that such "improved property" shall be exempt from condemnation. It says in Sec. 4 (b) (1) "The Secretary's authority to acquire property by condemnation shall be suspended with respect to all improved property located within such area in all of the towns referred to in section 1 of this Act for one year following the date of its enactment." and in (2) "Thereafter such authority shall be suspended with respect to all improved property located within such area in any one of such towns during all times when such town shall have in force and applicable to such property a duly adopted, valid zoning bylaw approved by the Secretary in accordance with the provisions of section 5 of

this Act.", so that this is another factor in considering this matter; first the dwelling must have been constructed or started prior to September 1, 1959 to be exempt, and second there shall be in force a valid zoning bylaw; which is true in all of the six towns. Am I correct, they all are?

MR. JOSEPH: That is correct.

MR. NICKERSON: I think we are concerned with these two conditions. I would like if we can, to limit the discussion of the proposed guidelines to that particular type of property and not get talking about anything that has been built since September 1, 1959. We can take that up as a separate item if we wish to do so, so we won't get confused. I have read this tentative draft several times and I am rather concerned about it. I have the feeling that the Park Service is getting into too much detail; much more detail than it needs to, and would be encouraging owners of property to come to the Park when they should be going to the town authorities (it seems to me). For example, they say 50' set back or 25' set back requirements as the case may be; that is all covered in the zoning bylaws. The Secretary has approved the zoning bylaws so the town zoning bylaws would cover, having been approved by the Secretary. The proposed guidelines describe a one-family dwelling as "a structure, ordinarily thought of as a house, which would be appropriate to a single-family residential district, normally consisting of a central living, dining and cooking area with adjacent bedrooms and bathrooms so that the occupants live in a family relationship with common occupancy of the entire house and communal cooking and dining." This seems to me as irrelevant as this would be covered in the zoning bylaws. The guidelines go into the question

of application for permits and about moving etc., which again would be governed by the town zoning bylaws. My general criticism of this whole proposition is that from my point of view the Seashore should not get itself involved in details that are being done through the zoning bylaw which has been approved by the Secretary of the Interior. Now I have said all this, perhaps I have talked too much. I just wanted to throw the issue into the pot so to speak, perhaps Mr. Redmond would like to say something.

MRS. WILES: Who got this out?

MR. JOSEPH: This is the culmination of a good deal of material which I had worked on based on what I knew about the area, and discussions here, which was sent down for review by the Regional Solicitor and the Director. This final draft was prepared by Bill (Redmond) after a period when it was intensely studied as a special project, and while we were trying to pass on requests from individual home owners to make alterations and enlargements to their property.

MR. REDMOND: I reviewed it from a dispassionate viewpoint and from the point of view of legislative sufficiency. It was certainly not intended to usurp any functions of any zoning board. We had hoped to accomplish just the opposite so that zoning boards could function without calling on the Seashore for interpretation or clarification of any kind. We have had these under consideration for some time and one of the questions that arose in our mind was, exactly what is a "one-family dwelling"? Obviously it is not required that one family live in it.

Three or four people could live in it who are not all in the family. I think there is a Massachusetts case where a group of persons were living with a housekeeper where they were classified as one family. We put this in so that if a question arose regarding this it might shed some light on the interpretation a zoning board might put on it. I have wondered sometimes about a house without any interior partition used as a fishing camp; whether we should consider that as "improved property". This was our only objective. I have neither pride of authorship or predeliction of the form these should take.

MR. JOSEPH: I will say - you recall I had prepared a draft, and I sent this to the Regional Solicitor before reading it to the Commission (You saw it Josh). I attempted to compress all our thinking into that one which I think in your opinion was somewhat close to the mark. Bill has taken a look from the standpoint of form as well as legal sufficiency and come out by supplying this format, from the one I had prepared.

MR. MCNEECE: For example, taking this up section by section what objection is there to definition of a one-family dwelling; doesn't it describe it pretty well?

MR. NICKERSON: I can think of at least 20 I would consider single family dwellings that don't have bathrooms and why do we have to say "be appropriate to a single-family residential district". It seems to me there are any number of cottages that don't have bathrooms.

This is only one opinion but if we strike out the reference to residential district and bathrooms we wouldn't rule out existing single family dwellings since they don't have bathrooms.

MR. JOSEPH: I believe the attempt to arrive at a definition did come from the sense that some more definition might be desirable.

MR. NICKERSON: It seems the broader you can make the definition the more desirable it would be for a large number of family dwellings. It seems to me that what we should be attempting again is to force the towns to accept responsibility for zoning laws instead of cluttering up the administrative procedure here.

MR. FINLAY: How do you define bathroom. Does it have to have a bath? You might have a toilet room only.

MR. NICKERSON: That is one reason I think it should be left out. You wouldn't have to define it. That brings up another point with respect to accessory structures. On page 3 it reads:

"Accessory structure - A detached structure used for storage, protection or shelter including but not limited to garages, boathouses, wellhouses, sheds, barns or stables for horses. Any structure used as a studio, office, or for appropriate small scale home occupations shall be considered an accessory structure."

but then it suggests somewhere else that you shan't have any bathrooms; this is on Page 5 under paragraph 4:

". . . .Accessory structures may not include cooking or bathing facilities or sleeping quarters . . ."

which means you wouldn't be able to have a washbowl or sleeping facilities. It is quite common practice to have a house with a guesthouse

without cooking, but a bath; both bath and sleeping quarters. It is common to live in the main house and have an adjacent building for sleeping and bathing quarters so that guests would stay in the guest-house instead of in the main dwelling.

MR. MCNEECE: A guest house is not considered as an accessory structure. In Chatham we refer to them separately as "guest houses".

MR. NICKERSON: But again, this comes under town zoning and the Seashore involving itself with town zoning bylaws.

MR. REDMOND: You might get into the question with more than one family dwelling on the property under the standards adopted; but we could change the zoning bylaws. At our last meeting I questioned whether this type of accessory building would be permitted; but this practice began, it is traditional I suppose, and permission was given in the early days of the Seashore to build detached structures to be used for professional offices, studios, etc. I think the possibility as to whether building facilities and sleeping quarters should be permitted. (is a matter for your judgement.)

MR. NICKERSON: Isn't the Park Service consideration whether function of the real estate changes from single family dwelling or not? The set-backs are considered by the zoning bylaws.

MR. MCNEECE: Is this 50' setback a requirement?

MR. JOSEPH: It is a requirement of the standards.

MR. MCNEECE: The various towns accepted those?

MR. JOSEPH: Yes.

MR. MCNEECE: Then this is repetitive.

MR. NICKERSON: This is getting us involved in something that is covered by the zoning bylaws. It seems to me that what the Seashore is interested in is that any application for any changes should be presented to the Seashore; they would check to see if the proposal involves any violations of the zoning bylaw of the town and if it does it becomes the subject of a variance.

MR. MCNEECE: Which comes first? According to our understanding the town issues a permit on basis of their conformance with our particular zoning regulations, then we send a copy to the Seashore. You would reverse that and have the Seashore see it before the town?

MR. NICKERSON: No. I would have copies of the application and permit itself when it was granted.

MR. MCNEECE: When the copy of the permit reaches the Seashore it is checked to see if all town regulations are met?

MR. NICKERSON: I want to put the burden on the towns; that is where it lies.

MR. CHILD: Especially that of variances.

MR. REDMOND: We are trying to bring out that the moving etc., if it afforded less than before would be a variance which we would not approve because the standards according to interpretation do not permit it. In other words Section 27:3 of the standards says no moving alteration etc., just the same language as this.

MR. NICKERSON: What does the zoning bylaw approved by the Secretary say?

MR. REDMOND: I would assume the zoning authority could treat it as a variance but I don't think we can say under the existing standards that we would approve. We could not under these standards.

MRS. WILES: Do I understand you asked that Wellfleet have these applications taken up by the Park before they are taken up by the Wellfleet zoning board?

MR. JOSEPH: No. In fact due to the stage to which the guidelines have gone, I have suggested to the planning board that applications be made to the zoning authority first, not to us, whereas the previous practice according to our files and records was that they came in here first.

MRS. WILES: This was spoken of at a meeting in Wellfleet and I understood that they came in here first.

MR. JOSEPH: Over the years they have, but we now say that they go to the town zoning authority first.

MR. REDMOND: Do you think it would clarify this if we amended to make it clear that what we are saying is that a variance if it doesn't include 50' setback cannot be approved?

MR. NICKERSON: What concerns me is that the Park Service would be setting up by these guidelines an additional set of regulations in addition to the Act and the zoning bylaws.

MR. REDMOND: My feeling is that the purpose of these is to implement the existing standards they can't go beyond or correct if the standards are inconsistent with the law. For that reason these are really for internal

use by the zoning boards and not an additional set. Trying to tell them what our limitations are.

MR. REDMOND: In Item 4 regarding sleeping quarters what do you want to do.

MR. JOSEPH: I think it is correct from my exposure to several cases that have taken place over the last 5 and 6 years that the custom relating to studios has been practically to permit people to erect studios with the understanding there would not be sleeping or bathing facilities. This is an informal practice growing up for several years. The question has seemed to turn upon whether in effect the key property owner is really coming out with two residences.

MR. NICKERSON: Wouldn't your purpose be accomplished by something like this - that no such structure should be of such nature that it could be used as a family dwelling unit, which includes sleeping, eating and communal activity?

MR. REDMOND: Would you think that if someone wanted to build ten guest houses on their property - if they could build one they . . .

MR. NICKERSON: If they put up guest houses in the sense you refer to it would be a commercial operation.

MR. MCNEECE: We permit guest houses for 100% more land than area calls for, then if you have two or three acres you can't have 8 or 10 more guest houses only one for the remaining 3 acres; if you didn't you could continue building on guest houses without being required to subdivide.

MR. NICKERSON: But this wouldn't be a single family dwelling.

MR. MCNEECE: Oh yes.

MR. NICKERSON: These would be separate single family units under this regulation, you could only have one on the entire property.

MR. MCNEECE: That is the way it should be.

MR. NICKERSON: You could have private guests you would put in a bunkhouse, there needs to be provision for that.

MR. MCNEECE: That ought to have a specific definition; I don't think you can consider it under accessory structures.

MR. NICKERSON: They shouldn't be allowed to cook. Dining facilities and cooking should be in another place. And what about the shower-head in the garage for instance?

MR. DIEHL: What is to prevent selling this off to my son and having him come up and get a permit for toilet and kitchen?

MR. NICKERSON: Because it wasn't a single-family dwelling originally.

MR. DIEHL: So you are not going to rule it is a single-family dwelling; suppose you come into the problem of having two - you are only entitled to one.

MR. NICKERSON: This would not be a single-family dwelling by definition no matter how many acres you have you have one now and you can't build another.

MR. JOSEPH: The law itself refers to the dwelling and accessory structures.

MR. NICKERSON: This situation is complicated by the fact we have seasonal occupancy.

MR. REDMOND: We are governed by standards which say with respect to the zoning bylaws and uses of the property and their accessory structures". . .such uses may include, but are not limited to:. . ."artists' studio,for appropriate small scale home occupations . . . and for the rental of rooms and serving of meals by residents of the premises to overnight guests . . ." that refers to dwellings. "(2) the existence of structures, such as a garage, barn or boathouse accessory to the dwelling . . ." We feel that a literal interpretation would probably almost prevent a studio or accessory building used other than for storage, garage, boathouse or something of that sort.

MR. MCCARTHY: What about the parent whose son gets married and starts to raise a family and wants to convert the barn and live in there for the summer; are you going to shut him off?

MR. NICKERSON: I would say yes, because that would be another family dwelling unit.

MR. MCCARTHY: That would strike me as being very harsh.

MR. NICKERSON: He could have sleeping quarters. I can think of real estate developments where this type of thing has been requested and the answer has been no; not two housekeeping areas.

MR. MCCARTHY: I know there have been some barns converted; there is one around Mayo's Duck Farm - the garage door is still there.

MR. NICKERSON: This is a commercial boarding house.

MR. FINLAY: That was converted sometime ago. New state sanitary code regulations come into this now, there are very definite rules which must be observed with regard to sink drains and toilet facilities.

MR. NICKERSON: The governing factor is the manner in which the property is used. One family living as a communal group with common cooking and dining facilities. Isn't that the important thing?

MR. MCCARTHY: Perhaps Steve (Perry) could help me with regard to a barn that was converted on Long Nook Road in Truro. I don't know what was in there previously.

MR. PERRY: I am not sure about that.

MR. JOSEPH: I will say following up Mr. McCarthy's comment; I feel certain there probably are studios or other accessory structures that have been converted or improved or however you may want to describe that; that may be used for guest houses and residences. When I first addressed myself to the problem, after having seen some of the requests being made; feeling my way, I thought in terms of granting something that might help answer Mr. McCarthy's questions. We don't have access to see whether or not these structures are being used as a second dwelling; whether they have cooking facilities etc. This would require additions, possibly new regulations if one wants to consider this question. I even proposed a formula much like Mr. McNeece's, but in somewhat different terms to provide some measure of control rather than rely upon my judgement but I ran into difficulties. Some I got done to specifiy how big they should be and how they would be used. I was advised by legal council I couldn't do it, there would have to be additional standards or regulations.

MR. NICKERSON: If one family fixed over a barn and put in sleeping quarters for a child but went to the main house for meals and communal living it would be acceptable under the definitions, but if it was separate where the family could live independently it is not.

MR. MCCARTHY: You have not changed the character of the structure at all but you have increased the number.

MR. REDMOND: This gives rise to the question whether the fact it was a barn in 1959 would give it any protection.

MR. FINLAY: What if this was a pre-existing condition? You would have them before; what would you do in case like that?

MR. NICKERSON: If they were there before 1959 complete in both cases· if they were single family dwellings, two on the same piece of property, no reason why you couldn't.

MR. FINLAY: I am familiar with the subject because we lived in the barn in the summer and rented our home. I think there are spot situations where they could claim a hardship.

MR. JOSEPH: I am sure that is one example of one and having talked to some degree with those who prepared the language of the Act I am sure that they knew there were several potential situations, but there was not the opportunity to solve them all at the time, and that is the reason they made provision for subsequent rules as it looked as though they are needed.

MR. MCCARTHY: There is one further comment. I still think it would be extremely harsh if a parent couldn't turn over to their child the building without changing the character, but allowing them to put cooking and bathing facilities in that structure.

MR. MCNEECE: But you are creating another single family residence which is illegal.

MR. MCCARTHY: But it is under traditional use.

MR. MCNEECE: If there is a separate provision made for a guest house including sleeping accommodations plus a bath so that it wouldn't be a single family residence because it wouldn't have a kitchen that would take care of some of the problems.

MR. NICKERSON: If it didn't have cooking and dining facilities.

MR. MCNEECE: Add to accessory structures it must not be for human habitation or provide sleeping and cooking accommodations, would mean only for professional use etc. Definitely they should not have included any sleeping accommodations or be used for human habitation; also somewhere in either this or in the standards there should be a provision that in the event any of the town bylaws are more stringent than these provisions the town bylaws would prevail. We don't permit an office as an accessory building. We do permit a building where they make boats, pottery etc., but an office might be a real estate office; we don't permit that so in such cases I wouldn't think it would be proper for the National Seashore to permit something the town wouldn't.

MR. REDMOND: They do qualify this in the standards by saying a professional office for the practice of law, medicine etc., but I think a realtor might consider himself a professional man.

MR. NICKERSON: I think Mr. Redmond sees the possibility.

MR. REDMOND: I am not particularly upset about any sleeping quarters if we could restrict the number of detached buildings which could be used for sleeping. We have already let them have offices and places for small scale operations and renting rooms for overnight so if it is going to be used for one purpose I see no legal objection, but would hate to see twelve additional structures for rent to overnight guests.

MR. NICKERSON: This whole decision is limited to less than 1,000 units.

MR. JOSEPH: Between 500 and 600.

MR. NICKERSON: Probably more. Certainly less than 1,000 all of which were used as single family dwellings before 1959. This is to protect them. A single family dwelling does not normally rent space to strangers; it is for that family; this is where you get into difficulties.

MR. JOSEPH: I think the reason for that clause being included for renting out rooms was in line with every reasonable effort being made to go along with the customs and conditions of the area and the effort and interest of the legislators to disrupt family and community life as little as possible.

MR. NICKERSON: I would like to move on to the variances and especially Paragraph 1 on Page 6. "1. If through natural phenomena or causes a lot or lots are so diminished in size that the owner would be unable to comply with the setback or sideline requirements herein prescribed, such owner or the zoning authorities may request the Seashore to determine whether a proposed move, reconstruction, alteration or enlargement of an existing residential dwelling or accessory structure would subject the property to acquisition by condemnation."

The only thing that would subject that to acquisition would be a violation of the zoning bylaws, isn't that right? This is a case

where a lot is reduced in size by erosion - that would be a typical case. It seems as though the only thing is if it complies with the zoning bylaws.

MR. REDMOND: I think that is right; that provision is lifted directly from the Standards and should be read in conjunction with Paragraph 5 on Page 5. "5. No moving, alteration, or enlargement of existing one-family residential dwellings or accessory structures shall be permitted if such would afford less than a 50-foot setback from all streets measured at a right angle with the street line, and a 25-foot distance from the abutters' property lines (or less than such lesser setback or distance requirements already in existence for such dwellings, or accessory structures)."

This is by way of saying that if through erosion or other natural cause he is going to move, even though this might violate sideline requirements, I think we can go along with it in this case.

MR. DIEHL: What if land+house is washed away and there is still land left - say 2 acres?

MR. REDMOND: I think that is considered in paragraph 2.

MR. NICKERSON: Why does he have to apply. Why can't he do it if he has room enough?

MR. REDMOND: Primarily because we have felt reconstruction constituted a variance under the standards.

MR. JOSEPH: No one has ever addressed himself to that particular problem in connection with reconstruction or damage.

MR. DIEHL: To what extent?

MR. JOSEPH: No one has ever said.

MR. REDMOND: We are guided somewhat by the fact that if the property is destroyed by fire or an ACt of God and another dwelling constructed on this site, that in the strict meaning of the act it has protection provided the original building was constructed prior to 1959.

MR. NICKERSON: You want to provide means for rebuilding after a fire loss on this portion of the land or on a different portion of land if necessary?

MR. JOSEPH: What actually happens is that the owner having the same questions in his mind as are expressed by us, wants to be sure before he puts his money in whether or not he is going to do the right thing and be able to stay free from condemnation.

MR. THOMPSON: We would sit down with him and determine what would be an acceptable site to him or the government. That is what we do in determining the three acre home sites.

MR. NICKERSON: If his house burns there is no problem replacing on same site.

MR. THOMPSON: No.

MR. REDMOND: I would suggest we could change variance to permit . . .

MRS. WILES: You agree that if a house is burned it should be able to be replaced?

MR. REDMOND: If it was improved property in the first place. If it was constructed after 1959 and it was burned . . .

MRS. WILES: Why can't you, if you allow houses to be built after 1959; if he builds after 1959 and loses by fire. Why shouldn't you permit him?

MR. NICKERSON: Now we are getting on another subject. We are talking about improved properties.

MRS. WILES: I don't think it is right if a person is allowed to build and then can't . . .

MR. REDMOND: If the property is in an area where we thought we would be acquiring land in a year or two I think we would have a duty to acquire the land before it was rebuilt.

MR. NICKERSON: There are any number that are subject to condemnation.

MR. REDMOND: The same thing applies, an owner could put it back up and there would be no way of stopping him but it would seem to be advantageous to condemn real estate before a house is put on it.

MR. NICKERSON: I question very strongly Item 3 which reads:

"Replacement or reconstruction of a one-family residential dwelling for any other reason shall terminate the status of the property as improved property and subject the property to acquistion by condemnation.."

It seems to me that if a residential dwelling gets in bad shape because of neglect this is a gradual thing. I may will it to my grandchild and it seems as though he should be allowed to reconstruct it if it was originally within the definition of improved property. The functional use should continue even though there was a time since 1959 when it wasn't used but going to pot.

MR. JOSEPH: You said in that comment where it was run down and you wanted to reconstruct. Do you mean literally complete replacement?

MR. NICKERSON: Yes.

MR. REDMOND: You suggested a case where we might use the term"obsolescence." Do you think someone who has a less than 10 year old house should be able to tear it down and reconstruct a larger dwelling in a different style? And it would be improved property? When we put this in it was because it was an explanation of existing standards but would not necessarily consider whether it was strictly within the meaning of the Act but the standards don't seem to prevent this.

MR. REDMOND: If you want to interpret literally it has to be a house which was there in 1959. We are concerned about this. Can we impose limitations on the size of an enlargement; could we say a house with less than 1200 square feet cannot be expanded more than 25%?

MR. NICKERSON: I would say you can't say it.

MR. REDMOND: We are facing the same thing with regard to construction, is that at the will of the owner and desirable from the standpoint of the Seashore and town?

MR. NICKERSON: It seems to me they have something that is priceless; they are not going to depreciate these values knowingly. It seems to me that there is a calculated risk here that had best be taken rather than not. We want to give the individual citizen all the leeway we can for doing what he wants to do with his own property so long as he doesn't break down the basic concept. If you would say:

"so long as the site is used as improved property as defined in the Act of Congress (Public Law 87-126 Sec. 4(d) and is in conformance with a town zoning bylaw, as provided in Sec. 5 (a) of said Act which has been

approved by the Secretary of the Interior. the Secretary's authority to acquire the property by condemnation is suspended as provided in Sec. 4 (b)(2).

"The determination should be based upon the manner in which the property is used, and changes in the structure itself may be permitted but not in its functional use as a single family private dwelling."

This ties it right back in your zoning bylaws. It seems to me basically that is what we are trying to accomplish.

MR. REDMOND: We have searched the records of the hearings, legislation history and reports; very little is said about this except it was made clear that people who owned residences would have a right to keep them forever. If that is true there has been concern expressed that this may develop into a Riviera with $100,000 homes; and people who lived here would have to sell out in order to let wealthy people come in and build in a Park maintained by the United States of America. So far as monetary considerations are involved you can say it is no concern of the Park Service how expensive the houses are because it wasn't contemplated we would acquire them. There has been a feeling we didn't want this to expand into the situation of an Atlantic Coast Riviera.

MR. DIEHL: This is a real danger.

MR. NICKERSON: But what is wrong with letting me have a property worth $10,000 today and then selling it later so they can put up a mansion and I take the half million and spend the rest of my life living in luxury if I choose to do so?

MR. DIEHL: Have you any idea of the value of these 600 to 1,000 homes? You are talking maybe about 28 million dollars to acquire.

MR. THOMPSON: That doesn't include all of them. There is a percentage of them the government might need, but there is no anticipation all of them would be acquired.

MR. NICKERSON: I don't think you will have the opportunity.

MR. JOSEPH: Once in a while someone does offer.

MR. NICKERSON: If they are smart they would sell to someone else; it is a valuable right something that can't be developed.

MR. REDMOND: That is very true. They are collector's items.

MR. NICKERSON: The public has had a misconception but we are finding out now the best risk is residential property in the Seashore.

MR. REDMOND: Considered in the light of the banks, this is the best security in the world. If I want to build a house, improve, enlarge, I can give an iron clad guarantee I ~~will~~ can sell to the government.

MR. NICKERSON: But the government doesn't have to buy because the government doesn't have the power to condemn, but if it was built after 1959 all I have to do is for the government to condemn, but they can't if I am in the other category.

MR. REDMOND: I think a good many people have an idea and even in the Department that we might be under moral obligation to acquire it if it is offered.

MRS. WILES: This concept may have been purposely sold to the public because I know there was a false thing going around Wellfleet in regard to Wellfleet and when I faced them with it they backed down. It might have been like this problem.

MR. MCNEECE: The whole problem was to assure people normal security and normal alterations and normal additions so far as that goes or covers their improved property within the Seashore and I don't see why this can't all be worked up. For example this reconstruction business, I know there have been places in Chatham which were so run down it made more sense to tear them down and start over rather than shore them up and repair. But they are limited to a building of the same size if a non-conforming use.

MR. JOSEPH: In the case of the type of thing you mentioned, I formed some opinions as people came in and asked for a decision. I have intimated that I have been able to take care of requests for alterations and additions which are covered under the standards, but some requests were of such a singular character, especially concerning existing dwellings and studio additions, that I felt they should be treated as an exception or a variance. If these are not sent back to the town zoning authorities for decisions you will have people who are of the opinion that simply by coming to see the Park Service they can do about as they please.

MR. NICKERSON: I think it should be on the town.

MR. REDMOND: Reading these over I think they may sound a little premptory. We didn't intend them that way. They were designed to be guidelines to zoning authorities. We set them up in sections so that if we received questions we could place them easily.

MR. NICKERSON: You might give some thought to submitting the proposals to each of the six towns when you are finally settled on the tentative draft in order to get their comments before making the guidelines effective.

MR. REDMOND: That would be a good idea.

MR. NICKERSON: The important thing is to get the responsibility on to the towns instead of the Seashore.

MR. REDMOND: I think we could do lots by just rephrasing. I see no real legal question which is what I am principally concerned with, except I would like to consider this last matter of replacement and reconstruction and get the advice of Washington on it.

MR. NICKERSON: You should be as broad as possible there will be fewer properties as time goes on, never more.

MR. REDMOND: I don't think we should be arbitrary and say the foundation has to remain in.

MR. CHILD: For the benefit of individuals and benefit of towns who are going to get taxes.

MR. NICKERSON: Any further comment about guidelines?

MR. JOSEPH: These guidelines grew from a case or two that came up in this room, where a very small structure was turned into a big one.

MR. CHILD: When you talked to me about this you thought you should put a limitation on sizes of additions.

MR. JOSEPH: I said this earlier. I mentioned the fact in order to have some kind of a basis for a determination better than my individual judgement. This approach might be good and such a formula was arranged, but while it might be something you might want to consider and adopt, it is impossible under the law to do this without additional zoning standards and possible hearings.

MR. REDMOND: I question whether we could do it. It would be against public policy to say they could only enlarge or improve to a certain extent. Anyone would favor upgrading but I am doubtful if we could impose any mathematical formula about enlargement or height on the 3 acre tract.

MR. MCNEECE: The town may restrict the size of a building by saying that no more than X% of a lot may be used for a building.

MR. REDMOND: You can relate to fire protection; you can do that with height but here with three acres it would be hard to impose.

MR. NICKERSON: Are there any questions you would like to ask us Mr. Redmond?

MR. REDMOND: I welcome the opportunity to be present here and to get the benefit of your views and Stan (Joseph) and I will be talking about this within the next week and will probably have a revised draft of the guidelines to submit to you at your next meeting. I will be happy to attend any meetings at any time you feel I can be of assistance to you.

MR. NICKERSON: Speaking for the Commission thank you for coming. It is only by face to face discussions that problems and ideas can be pretty well gotten across although it may seem we didn't accomplish much.

MR. NICKERSON: I think Leo (Diehl) has a subject he would like to discuss about getting land money.

MR. DIEHL: It has been called to my attention that the funds available for land acquisition in the Seashore are practically depleted, that there remains less than one and one-half million dollars. Congress put a sixteen million dollar ceiling on the cost of the Seashore land acquisition. There are two possibilities, one is to raise the ceiling. It is our hope we can raise the ceiling from sixteen to twenty-eight million dollars. Second, Congress hasn't seen fit to appropriate any additional funds they can't until the ceiling is raised. It is my hope that we as members of the Commission will go on record as saying the ceiling should go to twenty-eight million and Congress will appropriate money for next year and I hope we will do this on our own and not ask the Park to do it. I think it is our duty to call it to the attention of members of Congress with a copy of our letter to Mr. Hartzog.

MR. NICKERSON: You had two reasons for this; one that it would cost less to do it now than to do it later, and second that people will take steps to invite condemnation.

MR. DIEHL: If a person owns 30 acres and can't develop them, they could start to build and thus invite condemnation. I don't think it is fair to the people.

MRS. WILES: We told Congress they never could get this park for sixteen million dollars. Of course they wouldn't pay any attention. They were told over and over. They should push the boundary back instead of appropriating more money.

MR. DIEHL: If the Congress doesn't look approvingly toward raising the ceiling to twenty-eight million dollars, we cut the size of the Park.

MRS. WILES: It has been, and is going to be a question of whether Wellfleet is going to survive as a town.

MR. NICKERSON: What do you think of Mr. Diehl's suggestion?

MR. CHILD: I second the first part, but not the second.

MRS. WILES: I don't think you care about Wellfleet Mr. Child.

MR. CHILD: Of course I care about Wellfleet.

MR. DIEHL: I think we should get over the first hurdle first to be fair to the people who own land in the Park. They can't sell or use the land.

MR. PERRY: The first thing that comes to my mind is that they are not going to pay taxes, and the land is just going to sit there.

MRS. WILES: After three acres the town would get it.

MR. FINLAY: Has there been any tendency in Wellfleet to question the value of land? In this situation they have a good case; there is no question you value land by sales possility or use of it.

MRS. WILES: There is something else you don't think of. Wellfleet has a lot of marshland and they are trying to get it off the tax rolls. The Audubon Society has 350 to 400 acres and are going to expand; when they do I don't see how Wellfleet is going to do it. Older people can get $340 repaid on their taxes. Who is going to pay taxes?

MR. DIEHL: What is the average assessment of undeveloped land in Wellfleet, $1000 per acre?

MR. NICKERSON: Address that letter to the Congressional Delegation and send a copy to Mr. Hartzog and Secretary Udall. Leo (Diehl) will draft the letter.

MR. CHILD: I will second that.

MR. MCCARTHY: I would amend that to include the Governor of the Commonwealth.

MR. NICKERSON: Mr. McNeece has raised a point here.

MR. MCNEECE: We have made it a point never to directly contact our Congressmen. I wonder if we shouldn't address the Secretary of Interior with copies to Congressmen; there was some reason for not ever communicating directly with Congress.

MR. NICKERSON: Is it agreeable to Leo that we write the Secretary instead of the Congressional delegation?

MRS. WILES: You don't think it will be . . . .

MR. REDMOND: I don't know whether the legislative program of the Department has any provision for raising this amount. Do you know that the Department is not preparing legislation? I could check on that.

MR. JOSEPH: I don't know of any that is being considered. I think in the case of the Commission it is quite appropriate . . . .

MR. DIEHL: Should we inquire from the Secretary?

MR. JOSEPH: Normally we would know and since we have no specific . . .

MR. NICKERSON: You could write to the Secretary and in the same mail to Congress then at our next meeting in the light of their reply . . .

MR. MCNEECE: Any reason for not writing Congress?

MR. DIEHL: I think it is wrong to write to the Secretary and then write to Congress. Why not write members of Congress directly?

MR. NICKERSON: This particular situation is somewhat different from others because this is action which Congress must take and not the Park.

MR. MCCARTHY: Ask the Secretary what his plans are and then at next meeting reenforce to Congressional Delegation what his plans are.

MR. DIEHL: Would you care to write Secretary Udall and ask him if official legislation is filed - the House # of the Bill then we will write Congress.

MR. NICKERSON: I think we should explain just why we are asking - that is why I would like to have you draft the letter and send it along to me and have it sent out through this office instead of personally because all records are here.

MR. DIEHL: This is action taken on the part of the Advisory Commission that they are concerned over these things and we feel it should be taken care of and we would like to know what steps are being taken to that end.

MR. MCCARTHY: Mr. Thompson, let's assume I have 30 acres, I pay taxes since 1959; isn't this a part of the consideration of the purchase price?

MR. THOMPSON: The only thing we can consider is the fair market value based on the appraisals made; the taxes you have paid will not be considered although the increase in value over the years will be taken into account by the appraiser; if there is a 5% increase or whatever. They have to base that on the sales that have been recorded during the period.

MR. NICKERSON: You are saying the appraisers are taking it into consideration but you don't. The assessed values would be taken into consideration.

MR. MCCARTHY: So the taxes paid are a total loss.

MR. FINLAY: That is true in any sales property, although here it is a restricted use or sale.

MR. NICKERSON: You have had the use and enjoyment.

MR. FINLAY: On Cape Cod since 1959 the change in land value has been multiplied time over again and again.

MR. DIEHL: Could I ask a question - are the funds available for 1968? How does the fiscal year run?

MR. JOSEPH: Up-coming July 1.

MR. DIEHL: Do you have funds available?

MR. JOSEPH: No. Except in limited amounts. We know a Bill calls for an item of $450,000 for land acquisition within existing ceiling, returning or repaying what was borrowed to make a purchase at another Seashore. This is unobligated as of June 1.

A couple of condemnation cases involving $140,000 having to do with lands with clear titles are being examined. This with the purchase of land needed for road construction will leave a balance unobligated which is barely sufficient to cover key properties needed for key developments.

MR. DIEHL: Do you have funds available for optioned property?

MR. THOMPSON: Yes.

MR. DIEHL: How about appraisals?

MR. THOMPSON: Many that we have appraised we don't have an option on. Once an option is signed by the owner and is accepted in Washington funds are obligated.

MR. NICKERSON: How much do you have ready for option?

MR. THOMPSON: A couple of million.

MR. NICKERSON: If that is not available the appraisal is only good for four to five months and will have to be done over again. How much obligated with options last year?

MR. THOMPSON: Just this past month it was $512,000 obligated through options that were accepted.

MR. NICKERSON: But you already have, say 2 million or more in deals in progress which haven't been optioned against the 3 million so you have less than 3/4 million available and this is allocated for the year beginning July 1.

MR. JOSEPH: Those funds are available now and the plan has been to expend them as soon as possible, there will be very little left by June 30.

MR. NICKERSON: If you take into consideration the program of unsigned options you are "floating."

MR. THOMPSON: There is a deficiency judgement against Camp Wellfleet properties where owners and the U.S. attorney will come to an agreement over and above the deposit in Court, this may run into $200,000.

MR. DIEHL: Is there any objection to having this released?

MR. JOSEPH: No. This is part of our normal report; observations regarding a critical situation.

MR. PERRY: We now have a situation of property owners compelled to hold property until the government can buy it; going back to what Mr. McCarthy says the government has appraised it, but people still have to pay taxes until money is available to buy. Then it would be fair for the Park to take into consideration the taxes that were paid.

MR. DIEHL: If it is appraised today and you don't get around to buy it for another year will that appraisal hold or is it good only for four months?

MR. THOMPSON: It could hold provided we are able to negotiate with the owner within that time, if it were a condemnation we would have to bring it up to the date of the condemnation.

MR. JOSEPH: Appraisals are not the absolute key to contract signing. This is just a step of a formal nature to get approval within a price range, otherwise we wouldn't know what to ask for in funds.

MR. NICKERSON: The other 12 million is what you need to complete the job.

MR. JOSEPH: This is the best staff . . . .

MR. NICKERSON: Any reason for not giving press this story today?

MR. DIEHL: We have this under discussion we won't say we are requesting legislation; we are just looking into it.

MR. MCCARTHY: I would object to releasing it to the press at this time I think the Director should be extended the courtesy of answering an inquiry of what is in mind. We don't know.

MR. DIEHL: We are getting our information from Mr. Joseph. He just came back from Washington. I would feel he has given us the answer.

MR. MCCARTHY: Has he a positive statement?

MR. JOSEPH: We know of no legislative authority for increasing the ceiling and know of only the item of $450,000.

I still share Mr. McNeece's feeling this is a fairly big project, I don't pretend to have all the answers; I know what I do know in response to questions.

MR. NICKERSON: We made inquiries and it appears there is no additional program; there should be and must be if the program is to be carried out.

MR. DIEHL: The land owner has a right to know.

MR. NICKERSON: They will find it out through the news media.

MR. MCCARTHY: I do a little trafficking with legislators; the Land Acquisition says it is broke, they have a beautiful case for more money; if they hadn't spent it they wouldn't get it; the fact they are broke and have a landowner situation on the other side is a beautiful case but I think the Secretary of the Interior should be given the first crack at it.

MRS. WILES: Good Heavens, he knows it doesn't he?

MR. JOSEPH: This does point up a very delicate situation. Mr. McCarthy does point out that at one time the funds available for the operation were in a greater amount than today, but it is a well-known fact in the last year we have accelerated our land acquisition. We hired more people so that the rate of acquisition is good; by the same token if

you are successful in that respect you approach limits of ceilings that much more rapidly and it becomes critical the ceiling has to be coordinated. I think the action of the Commission in bringing it to a head is extremely commendable thinking for the benefit of the project.

MRS. WILES: Maybe Congress will say they have no money because of the war in Vietnam. Maybe they might ask you where they will get the money. You might suggest they tax Foundations to get the money.

MR. DIEHL: We are not asking Congress to appropriate money, but we are asking them first to raise the ceiling. Later on it will allow Congress to authorize an appropriation. We should go on record as favoring legislation that was not acted on last year. It is important - we won't have another meeting for a month and we will be into our next fiscal year with very little money. Your appraisal work will have to come to a halt as of now.

MR. JOSEPH: Subsequently, within a few weeks.

MR. NICKERSON: With the exception of Mr. McCarthy, how do the others feel?

MR. FINLAY: OK

MR. CHILD: OK

MR. MCCARTHY: So that I am not misunderstood - I am in full approval with the appropriation but not the mechanics.

MR. NICKERSON: All in favor of the proposal along the lines Leo (Diehl) proposes signify.

The vote taken was in the affirmative.

MR. NICKERSON: As I understand it, we are going to tell the press this afternoon what the situation is as we understand it. You (Leo Diehl) will draft the letter to the Secretary with a copy to Hartzog and I will sign it as Chairman.

MR. DIEHL: I am in favor of sending it to the Congressional Delegation. The Secretary can't do a thing; he has a thousand different units with a thousand different problems; send him a copy and Mr. Hartzog a copy.

MR. MCNEECE: Congressman Keith should be involved; it should be called to his attention.

Item 4. Progress Report - Cape Cod National Seashore

MR. JOSEPH: The extension for five years, ending December 31,1973, of Suspension of Condemnation Certificates for Commercial and Industrial establishments, was accomplished by letters to the following:

North Truro Art Gallery

North of Highland, Inc.

North Truro Camping Area

Cliff House Colony - Truro

Vista Del Mar Motel - Provincetown

Hall's Cottages - Eastham

The Spar Shop - Eastham

We have written the owners of Mike and Tom's Gasoline Station in Truro suggesting landscaping and a clean-up of the area before extension of the Certificate and requesting arrangements be made for a meeting at a mutually agreeable time to review this matter.

An application for a Suspension of Condemnation Certificate has been received from Norman F. Berrio the owner of the CITGO Service Station in Wellfleet.

A letter enclosing an application for a Suspension of Condemnation Certificate has been sent to the owner of Jack's Esso Station in Truro.

A representative of Whitehead Brothers visited and discussed with Lands personnel the sale of their property. Further details are available from Mr. Thompson.

Letters have gone out to all over-sand commercial vehicle operators and guides, asking them to submit applications if they wish to operate again this year.

In connection with the discussion of guidelines on the Agenda today, Dr. Malcolm Preston telephoned me again about the reconstruction of his house. He said that while he did not want to plead his case, if his presence were needed, he would be glad to furnish any information desired. This request is mentioned as a typical one, decision regarding which will depend substantially, if not entirely, on the result of the review of the guidelines with the Regional Solicitor who is present today.

We wrote the Coast Guard on May 12 asking for assignment of the lifeboat from the PENDLETON rescue; if received it will be stored in accordance with our present plans in the maintenance area pending arrangements for displaying it at an appropriate place when funds are available for proper facilities.

Attorney John P. Curley, Jr., of Hyannis was appointed U. S. Commissioner on May 15 by Judge Wyzanski of the US District Court at Boston, to hear cases arising at Cape Cod National Seashore and other federal areas in the vicinity. This should aid materially this summer in hearing cases which formerly were heard in New Bedford.

Work has resumed on the Eastham road and bicycle trail contract, and necessary field work by Service Center personnel is being done at the site of the road and parking area at the proposed Lifesaving Museum.

Twenty-six acres of beachgrass planting at four sites were successfully fertilized by helicopter on May 24.

Bids were opened May 26 for ventilation in the museum and auditorium wings of the Cape Cod visitor center. One bid from Rusty's in Hyannis in the amount of $7,785 was received. The Regional Office recommends that only the museum wing section be awarded at this time for $4,345.

Bids were opened on May 31, 1967 for construction of the Provincetown Visitor Center. Five bids were received ranging from a low bid at $144,890 from Masaschi & Son of Sandwich to $275,680 from the Karniala Construction Company of West Yarmouth.

The Scientific Committee had a very excellent and outstanding meeting on May 20 and May 21, addressed by the Chairman of the Advisory Commission, Associate Director Palmer and the Park Naturalist.

Likewise a very successful Wildflower Pilgrimage (the 4th annual) was held on May 27 and May 28.

You have asked questions today concerning the status of land funds, appropriation of funds for the future and near future - Mr. Thompson will have his usual report for the past month.

I think the Commission will be interested that as soon as possible after the beginning of the new fiscal year on July 1 it is expected that a system of fee collection for parking will be established.

MR. NICKERSON: You mean fees will be charged this summer?

MR. JOSEPH: Yes.

MR. MCNEECE: $1 fee?

MR. JOSEPH: $1 or Golden Passport.

This is also subject to necessary personnel ceilings and operating funds to employ people for collection process. If there is any different information I will advise the Commission.

The subject of the proposed Wellfleet beach in South Wellfleet as recommended by the Commission and this office and others as reflected in Plan #3242 developed by Mr. DeSilets was reviewed very thoroughly yesterday in the Washington office and the plan has been ok'd by the Assistant Director and his staff with some modifications that will result in revised preliminary drawings, factors that were reviewed here; the beach is planned to be at the location shown on the map, there should if possible be direct access to the beach at this time from Route 6 at the Marconi Station site and with the road separated from the eventual tour road from the Coast Guard beach area north; it is felt desirable that the tour road should be separate from the beach access in order to separate two different types of traffic with the possibility of one way traffic on the tour road, with parking turn

outs for assists to motorists who want to stop. I would say that while we did not discuss details of alignments, substantially the alignment of tour road indicated on the plan would be completed.

MR. NICKERSON: Is this the road from Coast Guard Beach to Headquarters?

MR. JOSEPH: Yes.

MR. NICKERSON: They haven't changed location of the bathing beach?

MR. JOSEPH: No. I am trying to get this thing out as clearly as I can.

MR. NICKERSON: How would they have access?

MR. JOSEPH: Through Marconi Station area for an interim period. We will try to keep the area between the Nauset Light Beach and Wellfleet Beach as natural as possible without planning any public use area at this time although alignments would be substantially the same. Your Thoreau concept is intact Josh (Nickerson), and the beach is at the location shown on the plan. We are planning several trails, including bicycle and bridle trails in the area shown on the plan. It must be understood that this is a planning matter which will help solidify a preliminary plan for your further review and make it possible to proceed further with the land exchange in Eastham and work out details on it but it doesn't actually get us the beach in the sense that once the planning matters are settled and put in final form there is still the necessity of obtaining through the Secretary's office with the advice of a Congressional Committee, a

program change which would divert funds from previous beaches still under town ownership to this project. There is some element of time which no one can predict but this is the next step that has to be taken.

We haven't heard any further from the Air Force as to the availability of a plane to go to Fire Island and I am wondering if the Commission would consider whether I should try to work out some other way to get there this summer. I am willing to try it. It won't cost too much money to go down for a day, for example it would be subject to availability of a few hundred dollars involved, and ceiling on travel; there is a very definite ceiling we can show on a travel voucher.

MR. NICKERSON: What sort of transportation?

MR. JOSEPH: I was thinking of chartering an airplane.

MR. NICKERSON: I think that might be good.

MR. JOSEPH: I can't promise but I have asked about it; if you would like to do something about it.

MR. CHILD: How near can you land to Fire Island?

MR. JOSEPH: Islip is available; just a few miles away. Suppose I explore it and see what I can get set up.

MR. NICKERSON: It would be a one day trip and be back the same day. You said there were five bids on the Visitor Center. The lowest and next - almost 100% more what were the intervening bids?

MR. JOSEPH: (Reads) Earl Wall of Westport, $196,430., Mishara Construction Company of East Natick, $204,748., Governor Corporation of Natick, $206,644.

MR. MCNEECE: Masaschi has already done quite a lot of work. Has it been satisfactory?

MR. JOSEPH: Overall yes, there are things that happened that need attention. We haven't accepted this building yet.

MR. PERRY: Wouldn't a rule of thumb apply where there is so much difference? Doesn't it usually bring out a question?

MR. CHILD: I would say I would be wondering about the low one. You know Wall has been doing a good job. I would be very reluctant to give it to the lowest bidder in this case.

MR. NICKERSON: What was the appropriation do you know?

MR. JOSEPH: Something under $250,000.

MR. CHILD AND MR. NICKERSON: There is something wrong with that bid.

MR. JOSEPH: We haven't received any word from the Design Office to which this information was transmitted.

MR. MCCARTHY: May I ask Mr. Joseph on this type of situation, for my own information, do you have a built-in Clerk of the Works with your design center? Who supervises the construction?

MR. JOSEPH: The Design Office has a representative, in this case Mr. F. Cliff Pearce, their architect. He is designated officially as immediate inspector or supervisor; I am given the responsibility of contracting officer; I have to approve anything that he and the contractor work out. This office is the contracting office - Lyle

Jamison, our Administrative Officer, handles all details involved. If there is a dispute involved, obviously it comes to me, with their recommendations.

MR. CHILD: As I understand it you have no Clerk of the Works as such, but Cliff Pearce does this.

MR. JOSEPH: We are depending on Cliff - He knows architecture. Lyle does details of contracting.

MR. NICKERSON: What about that fellow "Barkie?"

MR. JOSEPH: "Barkie" Kaligian is an engineer; he is not a mechanical engineer. Road engineering is his specialty.

MR. NICKERSON: I would be very careful to make sure the low bidder in this case would be able to do the job properly. It looks like he has left out something. I think he is probably in trouble.

MR. MCCARTHY: With us this is a very serious problem.

MR. JOSEPH: I will get the recommendations of the design office before proceeding.

MR. NICKERSON: What about the ventilation in the Museum? Didn't they put that in originally?

MR. JOSEPH: It was one of those things, no one knew in Cape Cod climate whether ventilation would be necessary, dependent on use patterns and weather. You have certain data to guide you - while there was some ventilation there was clearly not enough last year to be satisfactory in the face of the weather and the use last summer. The ventilation facilities will simply be improved. Just in the Museum because of the cost.

MR. MCNEECE: This Wellfleet beach, we are still aiming for 1968 aren't we? You said there might be some delay because of funds being delayed from other projects. Do you have 1968 goal?

MR. JOSEPH: I do, but I passed on the precautionary comment about the program change because not only have I been aware of it, but it has been complicated by many things including land exchange; the fellows who are used to handling these things in Washington cautioned me it may take some time after it comes from the appropriate committee. I expect no difficulty in getting the program change because I participated in a good meeting with the Assistant Director who is fully aware of the program and endorses it, but it still has to go the route. Even after that you have to get final drawings; they don't come easy, and after that it has to be advertised, and bid. The rate of accomplishment depends on the weather during the winter season allowing outside work. If it is to be available as far as roads and trails are concerned for instance you have to face these facts. Assuming the deal is worked out this summer and we get a good bid, even though the contractors shut down over the winter, we should do the work over the Spring. But this Spring is a good lesson in what can and what cannot be done in road work, so your Superinterdent has done the best he can and will continue, but can give no guarantee.

MR. NICKERSON: Parking fees, will that be for parking at three locations?

MR. JOSEPH: At five: Coast Guard, Nauset Light, Head of the Meadow, Race Point and Herring Cove.

MR. CHILD: Has the public been notified?

MR. JOSEPH: No. The thinking has been to now that we did not expect to charge.

MR. CHILD: Shouldn't they be notified through the press?

MR. JOSEPH: Knowing what I do about this I would say no; there is just a possibility we may not charge and it could be safer to delay announcement. I would say your best thinking would be to tell us to get press notices out just as soon as we know; the public in general expect to pay but most local people to whom I put out notices don't expect us to charge.

MR. NICKERSON: Eastham people won't pay?

MR. JOSEPH: No. They are entitled to that under their deed.

MR. NICKERSON: Land swap has been settled?

MR. JOSEPH: In view of what I have heard yesterday I am going to go ahead and work out details.

MR. PERRY: Would this be the time to ask about the situation in regard to the golf course?

MR. JOSEPH: Based upon very careful review we have instructions that based upon the enactment of Public Law 89-249 which requires the Secretary to "encourage and enable private persons and corporations to provide and operate facilities and services which he deems desirable for the accommodation of visitors in areas administered by the

National Park Service" the best way to "encourage and enable" private enterprise to provide and operate the golf course would be my means of a prospectus. This is in contrast to recommendations made that there be direct negotiation with the town of Truro for operation of the golf course. It is proposed to issue a prospectus inviting offers from all interested parties for the continued operation of the course, beginning January 1, 1968. If the town should submit an offer in response to such a prospectus, its offer will, of course, be considered and evaluated on the same basis as any other which might be received. Accordingly, the Truro Golf Committee will be advised that its offer of February 7 is not accepted. We will get information assembled as promptly as possible so that the Washington Office can prepare a prospectus and it can be advertised. This matter has been given very careful study by the experts in concession management and they are aware of the recommendation of the Commission and are aware of my recommendations; these are amplified by the following statement in the first paragraph of their letter which was addressed to the Northeast Regional Director under date of May 25, 1967:

"This will refer to Acting Regional Director Palmer's memorandum of April 14, and your follow-up memorandum of May 11, concerning the future operation of the golf course at Cape Cod, and to the one of February 9 from Superintendent Joseph transmitting a copy of an offer from the town of Truro. Superintendent Joseph requests that the matter of direct negotiation with the town of Truro be reopened and that he be permitted to negotiate a special use permit with the town for operation in 1968 and 1969, in which your office has concurred. Your office has also advised that the Cape Cod National Seashore Advisory Commission has strongly recommended that the Service negotiate directly with the town of Truro . . . ."

MR. DIEHL: This doesn't necessarily go to the highest bidder?

MR. JOSEPH: The law requires starting with this office; and since we have no concessions management personnel in the office I will make my recommendation to be submitted to Washington.

MR. DIEHL: Does Truro have a beach in the park?

MR. PERRY: Yes, next to the Head of the Meadow Beach.

MR. MCCARTHY: Would I take from Mr. Joseph's answer that if the high bidder was $10,000 and the town of Truro bid $9500 all other things being equal you would be in a position to recommend that Truro get it?

MR. JOSEPH: When you put it that way I would say no; all other things being equal if there are any factors that would overcome the $500 you could award to the one who had experience, financial backing etc.

MR. NICKERSON: Can you take public relations into consideration?

MR. JOSEPH: It has not been stated. This would be demonstrated by financial ability in part, it would be dependent upon capabilities, experience and availability of experienced personnel.

MR. PERRY: Is there any time element in the prospectus going out. How many years, or hasn't that been determined.

MR. JOSEPH: If you would like to discuss this in further detail, I will read further from the May 25th letter: (Reads)

"It is suggested that a draft of prospectus be prepared by the Superintendent and forwarded to this Office for review and issuance. The prospectus should be on the basis of continuing the present nine-hole course, with its expansion to eighteen holes at a later date if required to meet the public need. However, the term of the proposed

contract should not exceed five years. In addition, the prospectus could contain any details with respect to rehabilitation or improvement of the existing course. We note that in its offer the town stated that $50,000 would be made available immediately for the installation of a sprinkler system, construction of new tees, and other capital improvements. Details as to any such improvements, including costs, considered necessary for the future operation of the course should be stated. The prospectus and the resulting contract will provide that such costs should be amortized over the period of the contract."

MR. NICKERSON: Five years?

MR. JOSEPH: You would have to read this in conjunction with the town letter because that stated:

". . .(1) The town of Truro is desirous of leasing and operating the Highland Golf Course in North Truro for the interim period, January 1, 1968 to December 31, 1969 and for a 20 year period commencing January 1, 1970. The town of Truro is prepared to offer the sum of $1 plus 1 1/2% of the gross annual receipts from such operation as an annual fee for such a lease. In addition the Town is prepared to expend a substantial sum (estimated at $50,000) for the initial improvement and modernization of the present 9 hole golf course and also to plow back 5% of the gross annual receipts for maintenance and further improvements.

". . .(6) In accordance with the above the town of Truro offers to operate and maintain facilities and to furnish the services for the accommodation and convenience of the public in the Highland Golf Course area of the Cape Cod National Seashore in accordance with the program of operation and of capital improvements herein set forth. Such operation shall be for the interim period January 1, 1968 to December 31, 1969 and for a term of 20 years commencing January 1, 1970. The town of Truro will pay annually to the United States for the privilege of so doing, the sum of $1 plus an amount equal to 1 1/2% of the gross receipts."

so that the total investment as such, particularly for 9 holes would be substantially less than the $50,000.

MR. NICKERSON: Would they permit the town to put in a proposal to spend $50,000 prorated over a term of years.

MR. JOSEPH: Anyone can make any proposition they wish. The law provides that a successful concessioner rendering satisfactory service is given preference as a right in connection with further renewals.

MR. MCCARTHY: With bidding?

MR. JOSEPH: Not normally unless there is some reason for a special use calling for new bidding at the expiration of each contract period. In any event any bidders including the town would be free to make an offer.

MR. NICKERSON: If anyone is going to put in a substantial capital investment they are not going to recover it in 5 years.

MR. MCNEECE: I think you can write stipulations so that they will fit the town of Truro.

MR. NICKERSON: I hope you find a way for the town of Truro to get it I think it is important from soundness of operation and public relations with all the Seashore towns. You will have problems arising in the future with Chatham and Orleans with their beach properties. I think the record is clear as to where our sympathies lie.

MR. JOSEPH: I told Jack (Carleton) that I had an intimation of this, but it was not until today that I had definite information.

MR. CHILD: Can we release this today?

MR. THOMPSON: Twenty-one (21) options, comprising thirty-two (32) tracts and covering three hundred and eighty-five (385) acres, were negotiated during May. A total of seven hundred and thirty-nine(739)

options covering eight thousand eight hundred and eighty-three (8,883) acres have now been obtained.

There were eleven (11) closings, comprising twenty-five (25) acres, bringing the number of closings to date to five hundred and nine-teen (519), giving the Government title to six thousand four hundred and seventy (6,470) acres.

Appraisal assignments were made for fifty-seven (57) tracts, and appraisal reports for twenty-seven (27) tracts were completed. Of the latter, six-teen reports were for new tracts and the remainder were updating previous appraisals.

Fifty-six (56) assemblies requesting final title opinions on fifty-nine (59) tracts were submitted to Washington, bringing the total tracts for which final opinions have been requested to one hundred and fifty-three (153).

Up to today (including the month of May) we have spent or obligated two million four hundred and sixty-two thousand dollars to pay the individual land owners (in the last eleven months). We have a program for June that would if we accomplish it, obligate the remaining balance except for $450,000, in the vicinity of three million dollars or a total of sixteen million less $450,000.

MR. DIEHL: Has there been a request for next year?

MR. THOMPSON: We submitted it sometime ago for 1968.

MR. DIEHL: Now you say the sixteen million ceiling is just about reached.

MR. JOSEPH: Theoretically we will spend all we have by June 30. We will get $450,000 to spend on July 1.

MR. NICKERSON: You will be out of business before the summer is over?

MR. JOSEPH: Yes.

MR. CHILD: What happens to the land acquisition staff? Will George (Thompson) be out of a job?

MR. NICKERSON: I think it would be a tremendous loss to let George escape from this thing because over the years he must have acquired a tremendous amount of knowledge which cannot be conveyed to his successor.

MR. JOSEPH: We recognize that, and appreciate your concern. Your expression of views coincide with mine.

MRS. WILES: How many thousand acres have you acquired outside of that donated by Massachusetts?

MR. THOMPSON: The number of acres acquired through the negotiation process is 8,497.

MRS. WILES: How many more are there to be acquired?

MR. THOMPSON: Adding the acreage acquired through negotiations and the gifts from the state and town of Eastham and the area in Camp Wellfleet and deducting this from the total acreage authorized you would come up with a figure of approximately 8,000 acres, but this does not take into consideration the amount in public ownership, which may or may not be acquired.

MRS. WILES: It has cost you sixteen million dollars to get 9,000 acres; it will cost you twelve million more to get the 8,000 acres.

MR. THOMPSON: We were asked to make our estimate high enough so that it would not be necessary to go back to Congress for money again. This does not necessarily mean that we will be required to spend that amount.

Item 6. Commercial Property

MR. NICKERSON: Is that the stuff we looked at today?

MR. JOSEPH: You heard in the Progress Report of the letters we have written to the commercial operations holding Suspension of Condemnation Certificates advising them of the extensions you approved at the last meeting.

MR. NICKERSON: You want recommendations on the properties we saw today?

MR. JOSEPH: Yes, it would be a good idea. You have made some recommendations already. I think you signified you approved of granting a Suspension of Condemnation to Mr. Norman Berrio in Wellfleet for the CITGO gas station.

It was moved by Mr. McNeece, seconded by Mrs. Wiles and VOTED to issue a Suspension of Condemnation Permit to Norman Berrio to expire December 31, 1973.

MR. JOSEPH: Jack's Esso Station in Truro was a somewhat similar situation in that they have never been issued a Certificate; however, they have now made application.

It was moved by Mr. McNeece, seconded by Mrs. Wiles and VOTED to issue a Suspension of Condemnation Permit to Jack's Esso Station to expire December 31, 1973.

MR. JOSEPH: We have not taken any action on extending the Certificate held by Horton's Park. They have not made direct application for an extension. Perhaps George Thompson would discuss this further.

MR. NICKERSON: If they haven't made an application it is not before us.

MR. JOSEPH: This is a technicality.

MR. NICKERSON: Let's be technical.

MR. MCNEECE: If the Park Service does acquire it I don't think they ought to lose the use under the law because it might be hard to get it back. The Park is being pressed for campsites; most towns are zoning so you can't have campsites; where you have them you have a non-conforming use. It is established usually where there is no use of a non-conforming use for three years it loses its non-conforming rights. I think that should be borne in mind in case the National Seashore owned it and want to use in the future.

MR. NICKERSON: Can the Seashore have things in a town which the town has zoned against?

MR. JOSEPH: I don't pretend to be able to evaluate all of these items, but the expressed intention in the Act is that we could with good planning pick out especially suitable areas in which a campground should be.

MR. NICKERSON: That is in the Act but could it be done in violation of town zoning laws?

MR. JOSEPH: I would say this is a matter of interpretation.

MR. NICKERSON: Does Eastham permit camping?

MR. JOSEPH: In certain areas they do.

MR. PERRY: I would say this has the potential of being leased out again with the town losing the tax revenue we now receive. We had

high hopes of using this area for an additional nine holes for the golf course.

MR. NICKERSON: We have no answer to make on this.

MR. THOMPSON: One story told to Ranger Dick Strange is that the Hortons claim the Park Service is squeezing them out by not extending their permit.

MR. JOSEPH: In all fairness it should be stated that we have not written to them asking if they desire to be considered for an extension.

MR. THOMPSON: In the same week they told me they wanted to get out and had purchased a lot in subdivision up the Cape and entered into a contract to build a $30,000 home.

MR. NICKERSON: When does the permit expire?

MR. JOSEPH: It expires December 31, 1968.

MR. NICKERSON: The other one we looked at was Thompson's Clam Bar.

MR. DIEHL: They haven't applied for an extension?

MR. JOSEPH: No and we haven't written them because there was a question there also as to whether it would be purchased.

MR. NICKERSON: If he stays he wants to increase in size doesn't he?

MR. JOSEPH: That is what he intimated.

MR. NICKERSON: What about Gallagher?

MR. JOSEPH: He has come in. I think the proper action in his case is that if he wants to continue he submit an application for a Suspension of Condemnation Permit.

MR. NICKERSON: He has a complicated situation there inasmuch as his parking lot is the town parking lot.

MR. JOSEPH: My feeling is, and he told me he believes that when he submits his application, subject to the Advisory Commission's advice in this procedure, we should go to the town Selectmen and see what they wish to do. In that case I think there is a clear cut case for co-action.

MRS. WILES: I made the point that if he wanted to run he should put in a parking lot; the thing is that Gallagher is using the town parking lot. Everyone else has to have a parking lot for their business but Gallagher refuses to do so.

MR. NICKERSON: The stores on the main street in Wellfleet have town parking, but in our case we had to purchase expensive land to make a parking lot.

MRS. WILES: I see no reason why he shouldn't put in his own parking lot, he has the land.

MR. JOSEPH: I think that is the town's problem. We skipped over the Clam Bar, I assume there is no reason why we wouldn't send him a letter.

MR. NICKERSON: He will want to increase the size; what is the policy?

MR. JOSEPH: There is none. My feeling is that it shouldn't be permitted; we should have more or less clear ideas.

MRS. WILES: We need to have the place, and they should be allowed enlargement.

MR. NICKERSON: I see no reason why it should not be enlarged.

MR. CHILD: We allowed the Governor Prence Motel to enlarge.

MR. JOSEPH: Not exactly to enlarge.

MR. NICKERSON: If the boundary line had been back fifty yards instead of at the street line we wouldn't have the problem.

MR. JOSEPH: In the case of Thompson's Clam Bar there had been letters between the town of Truro and Mr. Thompson and the Service in regard to acting in concert to authorize him to put up a fence and a patio. The thinking broke down because he wanted to put up a permanent glass enclosure. This didn't seem to square with the town planning board and with us. I would be very happy to have a firm declaration of the intention on expansion if you do contemplate expansion then these people should know it.

MR. NICKERSON: What are the alternatives?

MR. JOSEPH: Operating the same as it is.

MR. NICKERSON: Which means you would have to buy it.

MRS. WILES: He wouldn't want to spend the money if he couldn't stay there.

MR. JOSEPH: He didn't say when and how.

MR. NICKERSON: I don't think failure to expand should force you to buy.

MR. JOSEPH: We did act strongly on the advice of the Commission.

MR. DIEHL: I think it is a profit maker. He wants to open it up; he asked for a glass enclosure. I don't know why we turned it down. He tried to have an open patio and found it was impossible.

MR. JOSEPH: It is my opinion that expansion of commercial activities within the Seashore is not the general idea of the Act; that we would not have them any longer than necessary; they would phase out. You denied expansion to the Governor Prence, his is a very nice shop.

MR. DIEHL: How much land does he have?

MR. THOMPSON: I think six acres.

MR. NICKERSON: Are you going to clear everything off the east side of the road because the Clam Bar happens to be on the highway?

MR. JOSEPH: I don't think anyone ever said we would.

MR. NICKERSON: You are going to discourage developments of commercial projects within the Seashore scenes. Why not here instead of in the interior?

MR. MCNEECE: Didn't we feel in the early days that reasonable expansion should be permitted provided that particular operation was run well and was attractive etc.; but there might be cases where there would be an undesirable operation which wouldn't warrant or want expansion, and we would try to have them phase out? Wasn't that the policy?

MR. DIEHL: Let's find out if he is interested in continuing.

MR. JOSEPH: If you want I will find out what enlargement he is talking about. Del Johnson (Governor Prence Motel) brought out in our conversation the information that he has not submitted any formal application for a Suspension of Condemnation permit.

The Gulf station (Mike and Tom's) have submitted an application to enlarge their storage tank; to increase their underground storage by 25,000 gallons. (No objection was expressed by the Commission to this application.)

MR. NICKERSON: There is the sand removal operation of the Whitehead Brothers Company. Mr. Thompson told some of us about his negotiations to date.

MR. THOMPSON: They have made a formal application for a Suspension of Condemnation permit, but no action has been taken on it. We felt that rather than enter into this type of a permit with them we would negotiate with them and include a period of operation after the option was signed and take into account the 5 years for which it would be granted, but now he is talking about 10 years.

MR. NICKERSON: You would like to be free to negotiate with him subject to continuing for a number of years.

MR. THOMPSON: Yes. We would like to do that.

MR. JOSEPH: I think it is most desirable.

MR. NICKERSON: Is it mutually agreeable that this would be closed out? This is to be done because it might interfere with negotiations for the land.

MR. THOMPSON: I would think if we could make an action with operation for five years that would be fair.

MR. JOSEPH: I would say it would be good.

MR. THOMPSON: Ten years might be stretching it.

MR. NICKERSON: He has already had something over 5 years that he has known this has been hanging over him. He has known from the beginning he was going to be phased out eventually. You wouldn't need any action from us on that one.

MR. JOSEPH: No. We have an expression of your feeling, which is good.

There was one other thing. Seineing carp in Pilgrim Lake. Director Kenneth Crossman of the law enforcement division of The Massachusetts Department of Natural Resources and Assistant Director Cookingham of the Massachusetts Division of Fisheries and Game both feel that Pilgrim Lake needs reclamation. A permit will be required from the Division of Fish and Game which will cost Mr. Souza $10. Our recommendation is that this action be taken. This will require a Special Use Permit which could be issued after we make notice of our intention to award such a permit. Mr. Souza would have to use a motor on his boat.

MR. NICKERSON: You would permit the commercial use of a motorboat on Pilgrim Lake; otherwise we would not be involved. Does anyone see any objection to this? You would have to grant the same thing to anyone else.

(No objection was expressed.)

MR. JOSEPH: I would probably say put out a prospectus to award this and evaluate all responses; if we get twelve we will have to do something else.

MR. NICKERSON: What about this shellfishing matter in Provincetown?

MR. JOSEPH: We have a letter from Mr. Wilbur M. Cook, Provincetown Shellfish Committee Chairman which reads as follows:

Our Shellfish Committee has met with Mr. Childs, the chairman of the Conservation Committee regarding shellfish in the Race Run, known as Hatches Harbor. We understand under the acts of the National Seashore that supervision was given the town for shellfish in Hatches Harbor.

We never did have any control in that area as the State did exercise control of the area. Now we find that we could never possibly supervise that area properly.

Our paid Shellfish Warden has all he can do to watch and patrol our Tidal Flats that we are now seeding and harvesting.

We wish your department would take control of Hatches Harbor area. We know that there was always plenty of shellfish there, and could be again with your department seeding and patrolling the area.

We know that when the area is again productive enough that the Seashore will allow residents with limits and controls, to harvest the shellfish.

The reason for the shellfish getting scarce is because of a few natural predators and man being the largest predatore. The beach buggies are increasing in number thus, making the area easily to get to and shellfish are being taken, regardless of the legal size.

We feel that this area must be protected, and impossible for us to undertake properly. This area, being remote and in your park area, it could be seeded, protected, and patrolled by your department effeciently.

We request your department to take control of Hatches Harbor Tidal Flats area, knowing that your supervision will see a greater reward to our citizens.

speaking on behalf of the Seashore we don't know enough about shellfishing to do this adequately and would prefer this be under town control, as contemplated under the Act.

MR. CHILD: I went to see him but was not able to contact him; I would like to have an opportunity to meet with him and Mr. Bent, who is also

on the Committee and ask them to write the state and see if the state will make a survey of the area. It seems to me that is the next step.

MR. NICKERSON: The Act specifically reads with regard to shellfish

(Reads Act) Section 7. (b) (2) (c) ". . . the Secretary is authorized to enter into cooperative arrangements with such officials regarding such hunting and fishing, including shellfishing, as he may deem desirable, except that the Secretary shall leave all aspects of the propagation and taking of shellfish to the towns referred to in section 1 of this Act . . . "

MR. CHILD: There is no access to this area except by people who have jeeps. It never has been taken care of by the town; maybe if they would reconsider they could get the town to appropriate some money so that they would have a shellfish area.

MR. NICKERSON: I should think the town could make it a closed area and ask the Park Service to help them enforce the regulation.

MR. JOSEPH: We would be glad to cooperate.

MR. MCNEECE: They could close it from June 1 to October 1.

MR. NICKERSON: It says here in the Act, (reads Section 7.(b)(2)(c)

". . .The Secretary shall consult with officials of the Commonwealth of Massachusetts and any political subdivision thereof who have jurisdiction of hunting and fishing, including shellfishing, . . . and the Secretary is authorized to enter into cooperative arrangements with such officials regarding such hunting and fishing, including shellfishing, as he may deem desirable, . . ."

The town can make a ruling this is a closed area and ask the Seashore to report any violations.

MR. JOSEPH: We couldn't guarantee to keep it free from violators, but we would be glad to cooperate.

MR. NICKERSON: The town could put up signs saying it is a closed area.

MR. CHILD: I should think that would be the answer now.

MR. NICKERSON: The Seashore couldn't get involved in seeding and propagating because the law says it shall not. They have no more business in there than in Chatham or Orleans.

MR. MCNEECE: Except it is more isolated.

MR. NICKERSON: Wouldn't that be the thing to do, close the area and have Park Rangers patrol it?

MR. FINLAY: Is this part of the town?

MR. CHILD: No, and it never was.

MR. NICKERSON: Better find out if it is part of Provincetown or some unnamed land.

MR. FINLAY: This is not in Provincetown, it is in the National Seashore.

MR. JOSEPH: Again we have the problem of interpretation and coming up with a reasonable answer, but it is abundantly clear when it comes to shellfishing, no matter what the status of the land, all aspects of the propagation and taking of shellfish are with the town.

MR. CHILD: Do you want me to negotiate with the Shellfish Commission and report on today's conversation and see where we go from there, or how is Stan (Joseph) going to answer?

MR. NICKERSON: It is my personal opinion that whether it is a state or a town problem it shouldn't be a National Seashore problem; but

they should cooperate with whoever has jurisdiction in enforcing whatever regulations the state or town make.

MR. CHILD: This has only become a serious problem because of beach buggies. They go out there all summer and take up everything.

MR. FINLAY: The so-called Coastal Warden should come into the picture. He has the authority to go into any town and see that state regulations are enforced.

Item 7. Agenda Items and Date for Next Meeting

It was determined that the next meeting would be held on July 7. Agenda items will be developed by the Chairman and Superintendent Joseph.

Item 8. New Business

No new business appearing the meeting adjourned at 4:50 p.m.

(For Administrative Use Only)

M I N U T E S

Fifty-ninth Meeting

CAPE COD NATIONAL SEASHORE ADVISORY COMMISSION

AT

Headquarters, Cape Cod National Seashore

South Wellfleet, Massachusetts

July 7, 1967

AGENDA

CAPE COD NATIONAL SEASHORE ADVISORY COMMISSION

Sixtieth Meeting

August 4, 1967

Item	Subject
1.	Adoption of Agenda
2.	Approval of Minutes of Previous Meeting
3.	Communications Received by the Commission
4.	Progress Report - Cape Cod National Seashore
5.	Land Status - Province Lands Area (Mrs. Hazel H. Werner - 2:00 p.m.)
6.	Conservation Education Projects
7.	Proposed Guidelines Re: Improved Property Alterations
8.	Agenda Items and Date for Next Meeting
9.	New Business

AGENDA

CAPE COD NATIONAL SEASHORE ADVISORY COMMISSION

Fifty-ninth Meeting

July 7, 1967

Item	Subject
1.	Adoption of Agenda
2.	Approval of Minutes of Previous Meeting
3.	Communications Received by the Commission
4.	Progress Report - Cape Cod National Seashore
5.	Fee Collection System
6.	Proposed South Wellfleet Beach
7.	Commercial Operations
8.	Agenda Items and Date for Next Meeting
9.	New Business

The fifty-ninth meeting of the Cape Cod National Seashore Advisory Commission was held on July 7, 1967 at the Administration Building in the Marconi Station area, South Wellfleet, Massachusetts following a morning field trip in over-sand vehicles through the dune area in Truro and Provincetown. The following Commission members were present:

MEMBERS	Recommended By:
Joshua A. Nickerson, Chairman	Barnstable County
Leo E. Diehl, Vice Chairman	Secretary of the Interior
Robert A. McNeece, Secretary	Town of Chatham
John W. Carleton	Town of Truro
Ralph A. Chase	Town of Eastham
Nathan Malchman	Town of Provincetown
Esther Wiles	Town of Wellfleet

OTHERS: National Park Service, U.S. Department of Interior

Stanley C. Joseph	Superintendent, Cape Cod National Seashore
George H. Thompson	Land Acquisition Officer, CCNS
Lyle E. Jamison	Administrative Officer, CCNS
James H. Bowman	Park Engineer, CCNS
Lyndell Baldwin	Secretary, CCNS

ALSO: Henry G. McCarthy, Massachusetts Department of Natural Resources and Gaston L. Norgeot, Selectman, Town of Orleans.

Absent Commission members were: Arthur Finlay (Town of Orleans) and Robert L. Yasi (Commonwealth of Massachusetts).

The meeting was called to order at 2:20 p.m. by Chairman Nickerson.

Item 1. Adoption of Agenda

It was moved by Mr. McNeece, seconded by Mr. Child and affirmatively VOTED to approve the Agenda as printed.

Item 2. Approval of Minutes of Previous Meeting

It was moved by Mr. Child, Seconded by Mr. McNeece and affirmatively VOTED to approve the Minutes as printed.

Item 3. Communications Received by the Commission

MR. NICKERSON: I have received a reply to our letter of May 10 to Secretary Udall in which we enclosed our resolutions regarding the exploration for oil off the shore of Cape Cod. This letter is dated June 30, 1967 and is signed by Charles F. Luce, Acting Secretary of the Interior and it reads as follows: (Reads)

"Your letter of May 10 concerning the resolutions adopted by the Cape Cod National Seashore Advisory Commission has been given careful consideration. We should like to assure you that we share fully your desire to preserve the recreational and natural values of the ocean in the vicinity of the Cape Cod National Seashore.

"We believe, however, that it is possible to go ahead with mineral exploration under Federal waters beyond the three-mile state line without adversely affecting these values. Substitutes for explosives in underwater exploration are being developed and used by private industry. These newer methods of exploration are not harmful to fish and we believe we should continue to permit this type of exploration off the Cape Cod area. The Nation must keep pace with its mineral needs and constantly press for the discovery of new sources as long as it is not detrimental to our other resources. Our Department has had considerable experience in marine exploration and production off other areas in the United States and we believe that we can continue to develop the mineral resources of the continental shelves without damaging aquatic resources or destroying recreational values.

"We are consulting fully with the Massachusetts State officials and other interested organizations on this matter. We appreciate the Commission's action and we hope to hear further from you when your committee has completed its study."

Well, we are not making any study that I know of, but it seems to me that letter says in effect that they are going ahead with their explorations. Any comment on that?

MR. DIEHL: This letter should be made a part of the record.

MR. MCCARTHY: If it is alright with the Commission I should like to have a copy of that letter for Departmental purposes.

(No objection was expressed.)

MR. NICKERSON: You all have knowledge about the letter which went out over my signature to the Massachusetts Congressional Delegation. This is the letter which was drafted by Leo (Diehl) and edited by the Seashore staff. Copies were furnished to the Vice Chairman and Secretary and the letter read as follows:

"The Cape Cod National Seashore Advisory Commission at its June 2 meeting voted to request the support of the Massachusetts Congressional delegation in raising the present authorization for land acquisition for the Cape Cod National Seashore and in having additional funds appropriated to continue its land acquisitions at the current rate of $3,500,000 annually.

"The Cape Cod National Seashore was authorized in August 1961, P.L. 87-126 in an area of approximately 27,000 acres. At that time, $16,000,000 ceiling was authorized for land acquisition. During the past five years land purchases have been made at an average rate of $3,200,000 annually. Therefore, the $16,000,000 ceiling has been reached. At the present time, 16,000 acres are federally owned or under purchase contract as part of the Cape Cod National Seashore. About 8,000 acres of privately owned undeveloped land remain to be acquired. However, this land acquisition program will have to be suspended around August 1, 1967 unless the Congress raises the authorization limit of $16,000,000 for acquisition purposes and provides a subsequent appropriation of funds to continue the land purchases. Presently the Cape Cod National Seashore has under negotiation with owners lands valued at around $1,500,000 for which appraisals have been obtained. All this activity will have to cease as of August 1967 unless action by the 90th Congress insures its continuance.

"The 89th Congress apparently took no action on the legislation filed by Senator Saltonstall (S. 3568) and yourself (H.R. 16090) to raise the $16,000,000 limitation for land acquisition at Cape Cod. The Advisory Commission strongly urges each member of the Massachusetts Congressional delegation to support legislation raising the land acquisition authorization for the Cape Cod National Seashore from $16,000,000 to $28,000,000 and the appropriation of additional funds to purchase the remaining 8,000 acres of undeveloped land in private ownership."

This is the letter we wrote to Congressman Keith. The same letter with the necessary modifications was sent to all other members of the Massachusetts delegation. I have received a reply from some of them including Keith, Philbin, MacDonald, Conte and Burke. From these replies I would say that there isn't any great enthusiasm in Congress to support this authorization.

MR. CHILD: I thought we discussed the point that it was a great hardship for people in the Seashore who couldn't sell their land but had to continue to pay taxes on it.

MR. NICKERSON: We discussed this but we did not bring it out in the letter. It was mentioned in the press releases however. Any other comments?

MR. MCCARTHY: May I suggest we send a copy of our letter to Secretary Udall?

MR. NICKERSON: This has been done. The Director and Regional Director also received a copy.

MR. MCNEECE: A Bill has been filed to raise the ceiling.

MR. NICKERSON: By both Keith and ~~Saltonstall~~ Philbin to raise the ceiling to $28,000,000.

MR. CHILD: Senator Kennedy didn't reply? He always answers so quickly.

MRS. WILES: What was the name of the first one?

MR. NICKERSON: Philbin, from Clinton, Massachusetts; he has been the Democratic Congressman for a long time. I have known him for forty years personally, but not very well.

MR. DIEHL: I think what we ought to do is to have Hastings Keith ask some of these other members. Have you heard from Keith?

MR. NICKERSON: He filed a Bill and replied on June 15.

MR. DIEHL: Those Bills will be filed and then Kennedy and Brooke will file a Bill. I had plans to invite a couple of Congressmen to visit Cape Cod; perhaps we could arrange to have them here for our August meeting and show them what we have. I sometimes think we may have missed the boat by not having sort of a Congressional Day here before this. I feel they should be invited. With your permission Josh (Nickerson) I will see is we can't get them down here.

MR. JOSEPH: Would you make the necessary arrangements for the invitation?

MR. DIEHL: Yes.

MRS. WILES: We were told we should not put pressure on any Congressman.

MR. NICKERSON: I think I made that suggestion that we should not go to the Congressman on matters where we were at a difference with the National Park Service; our advice was that in a situation where there was a difference of opinion between the Commission and

the Seashore we would not go to the Congressman but I think this case is entirely different, we have no difference of opinion with the Seashore on this subject.

MRS. WILES: There is a little difference of opinion here. I feel that they should push back the boundary if they don't have enough money to buy the land.

MR. NICKERSON: They have spent all they have already; whether they push back the boundary or not they are going to have to have more money.

MR. CHILD: Wasn't this discussed at the last meeting?

MR. NICKERSON: Yes. Is there anything else under communications?

MR. CHILD: I would like to bring up that I wrote all of the members of the Scientific Committee thanking them for coming, and hoping they would meet again soon; I also wrote Dr. Redfield.

MR. NORGEOT: On the oil proposition we have received some pretty good answers in the Selectmen's Association from the American Petroleum Institute. They appear to be interested and willing to . . . . . .

MR. NICKERSON: Haven't they pretty much given up exploration procedures?

MR. MCNEECE: They are not doing anything in that line now.

MR. NORGEOT: My thought was to keep them informed also.

MR. NICKERSON: It seems to me . . . .

MR. DIEHL: That they want to continue offshore exploration.

MR. MCNEECE: The Secretary of the Interior has been asked to appoint a Committee which I described at a previous meeting, to study the whole matter and they have been asked further to shut down any exploration or development until this Committee has had an opportunity to make a study and report. The Secretary has not appointed this Committee as yet. It has issued a permit for exploration at the one hundred fathom curve and it is contemplating issuing a permit for exploration to the Chevron Oil Company. In both cases they would be using a system which they claim is harmless to fish and the Bureau of Commercial Fisheries experts are inclined to agree it is harmless to the big fish, but cannot say for sure it is harmless to the food chain of their aquatic life, or small fish or haddock spawn for example, so there is still an area where there is sufficient lack of knowledge; but it could be anticipated that the Department of the Interior would take this position. The country needs oil resources and needs to know where they are, but when they say it has been possible for oil development to take place without injury or adverse effect on the fishing industry they are expressing an opinion with which a lot of people do not agree and there is evidence in other parts of the country that it hasn't worked out so that as of now we are still waiting for the Secretary to appoint this Committee, and if he doesn't see fit to do so then I think the New England Fisheries and Conservation Committee will have to take action to file legislation to establish a preserve out here.

MR. MCCARTHY: I would like to add two pieces of information to what has been said. The Commonwealth is trying to establish a Division of Marine Resources whose primary purpose would be to have a positive entity in the Commonwealth that could deal with this type of information. Also a meeting was held yesterday in Boston beamed primarily toward oil exploration; several state and federal agencies were represented at this meeting and out of it will come a memorandum of understanding or agreement which will be forwarded through us for editing, and what the end result of this will be at this moment I am unable to say; so that you can see there are quite a few people interested in this and hopefully we will have an entity to deal with this situation before the year is out.

MR. NICKERSON: Anything else to report on this subject? If not we will have the Progress Report.

Item 4. Progress Report - Cape Cod National Seashore

MR. JOSEPH: The decision to provide a prospectus and obtain bids for the Truro Golf Course was announced at the last meeting. The Seashore has prepared a draft of a prospectus and submitted the information to the Washington Office under date of June 12, 1967. Selectman Perry of Truro discussed the matter with Administrative Officer Jamison. The issuance of a prospectus is anticipated in the near future.

Under date of June 7 the Regional Office furnished information that will enable the seashore and the town of Provincetown to proceed with negotiations for testing and developing water wells under a Special Use Permit and provide water to Provincetown in response to its request, along with water for seashore facilities. Arrangements are now being made to prepare agreements between the town and the seashore that will serve the interests of both.

Members of the Wellfleet Land Exchange Committee including Mrs. Wiles met with seashore staff members on June 30 and discussed the possibility of making an exchange of town owned land and government owned land within the Seashore. The committee from the town has had certain survey and map work prepared and the seashore has been furnished a copy of a summary map on which the preliminary data furnished by the town was based. At the next meeting with the town representatives which is scheduled for July 10 we expect to receive specific proposals for lands that the town wishes to exchange. Correspondence dated June 12 from the Washington Service Center approved Plan 3232 modified as I announced at the last meeting, covering the proposed beach at South Wellfleet and proposed connecting road from Doane Road north. The final version of this plan is available and Park Engineer Bowman is prepared to review it with you, together with the proposed program change, by which funds are expected for this project.

The same correspondence also approved our proceeding with the town of Eastham for the proposed exchange of lands south of Cable Road and under date of July 3 further negotiations have been initiated with the Eastham Selectmen.

On June 9 and 10 representatives of the Bureau of Outdoor Recreation visited the seashore. They were acquainted as fully as possible by me with the status of land acquisition matters and plans for the initiation of fee collection.

Collection of fees for parking at the five protected beaches operated by the seashore is now scheduled to begin on July 15. Additional material on this subject is being prepared for your review later today by Administrative Officer Jamison.

Arrangements are being made to provide for temporary parking at the rear of the Captain Penniman house in Eastham. This will provide an opportunity to park off the road when stopping to look at the exterior of the Penniman House and also will afford parking space for visitors who wish to take the trail circuit between the Penniman House, Fort Hill, Nauset Marsh and Skiff Hill and return. It will also tend to provide the major parking for the fine trail facilities in this area by coming off of U.S. Route #6 from the Governor Prence Road thereby reducing the potential travel hazards particularly at Hemenway Road. No surface preparation is planned for the parking lot, but merely signs and access.

The Chief Park Naturalist has been working with Mr. John Hay of the Brewster Museum of Natural History, Mr. and Mrs. (Ted and Marsha) Norman, Professional Artist and Illustrators of Chatham and Mr. John V. Hinshaw of the Chatham Press with respect to a publication that may be of interest, when assembled, to some outside agency such as a Foundation, to help foster the conservation story. When a lay-out is in sufficiently firm condition, that is when a "dummy" is prepared together with estimated costs etc., we are hopeful that we may interest an organization such as the Old Dominion Foundation in financing it, particularly if the proposal can be combined with a trip to the area by the head of the Old Dominion Foundation.

For your information, I have been in touch with Regional Solicitor Redmond about the Guidelines in connection with moving, alteration or enlargement of dwellings. He was not able to have a revised draft available for this meeting, but hopes to have it available for next session.

The Northeast Field Committee of the Interior Department, the coordinator of which is Marcus Abelson of Hingham, Massachusetts, with offices in Boston, plans to meet at the seashore on July 12 and 13. Regional Director Garrison hopes to be at the meeting.

Follow up is to be made to the Coast Guard regarding the availability of the boat that rescued the PENDELTON survivors. We had requested the boat previously.

A contract in the amount of $4,345 has been awarded to Rusty's Inc., of Hyannis, Mass., the sole bidder for ventilation of the Cape Cod Visitor Center Museum Wing as discussed last meeting.

Robert Child, Inc., of South Dennis, Massachusetts has been awarded a contract in the amount of $14,165 for a loader with attachments for the Job Corps. Two other bids were received.

Able Drillers and Pump Company of Woodstock, Connecticut were the successful bidders of the six bids received for a contract for test wells in the amount of $17,554. The wells are to be drilled at Hemenway Landing, Eastham; Nauset Light, Eastham; the Visitor Center, Eastham; where a supplemental water supply is needed; and Griffin Island, Wellfleet.

A contract was awarded the Electralarm Company of Abington, Massachusetts to provide an automatic fire detection and alarm system at the Job Corps buildings. Two bids were received, The Electralarm bid and award was for $11,959.

Chief Park Naturalist Dame reports the recorded visitation for the month of June at the Cape Cod Visitor Center as 40,804. This is down 20% from June of 1966. However, a different multiplier is being used which would account for part of the difference.

The Ranger Division reports a total of 395,721 visitors to the area for the month of June; travel in the Marconi Station area was up 47% over June 1966. While beach use at Coast Guard and Nauset Light

beaches in Eastham is down from 22,000 in 1966 to 18,000 this year, surfing at the beach in South Wellfleet has increased considerably. It is noted that surfing at Coast Guard Beach has declined about 25% and travel in general at this facility, Coast Guard Beach, has declined 14%. Over the Fourth of July weekend, particularly on Sunday, July 2, parking areas at Race Point and Herring Cove were filled and cars were parked along the highway. However at Head of the Meadow in Truro there was ample space.

Project Supervisor Kaligian reports that the paving work on the road relocation in Eastham is complete and that work on the structure of the elevated section of bicycle trail is to start shortly. The paved sidewalk at the Nature Trail parking area in the Province Lands has been completed.

Approximately 1-1/2 miles out of 7 miles of bicycle trails in the Province Lands have had shaping and hand grading of shoulders completed by the contractor working for the bonding company. The entrance road and parking area for the proposed Maritime Museum at Coast Guard Beach has been staked in the field and all grades marked.

The traverse line for the roadway to the proposed South Wellfleet Beach parking area has been staked in the field.

Certain questions, due to the low bidder for the Province Lands Visitor Center not listing his subcontractors, and the fact that

he has claimed an "error" of $15,000 in making up his bid, have been referred to the Philadelphia Service Center for a decision and may have to be referred to Washington. The low bidder has been requested to submit information as to his subcontractors and claimed errors.

To follow up on our discussion of Commercial Operations last month we have met with and exchanged correspondence with Mr. Frank Thompson of Thompson Brothers Clam Bar in Truro. Under the Commercial Operations agenda item we will present more information.

A Certificate of Suspension of Condemnation of Commercial and Industrial Property expiring December 31, 1973 in accordance with your vote at last meeting has been prepared for mailing to Mr. Norman Berrio, operator of a gasoline service station in Wellfleet.

TheCertificate for Jack's Esso Station in Truro will be issued to expire December 31, 1973 in accordance with your vote at last meeting as soon as we are advised by the owner that a detail regarding the ownership of the land on which the station is located has been resolved.

We have not yet extended the Suspension of Condemnation Certificate of Mike and Tom's Gulf Service Station in Truro. Follow up is planned to our correspondence requesting a meeting to discuss cleaning up and landscaping to improve the appearance of the property before the Certificate is extended.

Del Johnson has made application for a Suspension of Condemnation Certificate for the Governor Prence Motor Lodge in Truro. This will be presented for your action if there is time today.

The Northeast Regional Office concurs with the recommendation of the Commission made in March that the present Special Use Permit issued to Joseph Colliano and Willis Hastings for the operation of the Highland House be terminated at the close of the term specified in the Permit which is December 31, 1969. We plan to notify Messrs. Colliano and Hastings accordingly by letter.

We also intend to write Messrs. Colliano and Hastings pointing out that there is no Certificate of Suspension of Condemnation for the House, Pottery Shop and Main Shop, which is known as The Jobi Shop. The latest information on file with respect to such a Certificate is a letter dated February 14, 1964 enclosing an application. We intend to write Messrs. Colliano and Hastings regarding the importance of an application being submitted as promptly as possible so that a determination may be made as to whether a Certificate of Suspension of Condemnation of Commercial and Industrial Property will be issued following review by the Advisory Commission.

Planning for the Highland Light area is expected to be reviewed by the Master Plan team this summer and final planning conclusions will aid in determing three transactions at that area:

1. Action to be taken on the commercial operations - namely the Apartment House and Little Shop; and the House, Pottery Studio and Main Shop (known as The Jobi Shop).

2. Which building, if any, in the Highland Light area should be offered to the Truro Historical Society.

3. Final plans for removal of specific buildings (other than some improved properties remaining in the area under private ownership immediately adjacent to the road on the south) not needed for the golf course.

MR. THOMPSON: Thirteen (13) options, comprising fifteen (15) tracts and covering eighty-three (83) acres, were negotiated during June. A total of seven hundred and fifty-two (752) options, covering eight thousand nine hundred and sixty-five (8,965) acres, have been secured to date.

Seventeen (17) closings, covering sixty (60) acres, were accomplished. This brings the number of closings to five hundred and thirty-six (536), giving the Government title to six thousand five hundred and thirty (6,530) acres.

There were sixteen (16) tracts assigned for appraising, and thirty-seven (37) appraisal reports were received, of which thirty (30) were appraisals of new tracts.

For final title opinions one hundred and eighty-eight (188) assemblies covering two hundred and thirty-five (235) tracts were submitted to

Washington, bringing the total tracts for which final title opinions have been requested to three hundred and eight-eight (388). Ten (10) final title opinions were received from the U.S. Attorney General. Mr. Frederick Brower was here the latter part of the week of June 5 from the Washington Service Center to review administrative matters in the Land Acquisition Office. Mr. Clifford Harriman, of the Division of Lands, Washington Office, arrived June 30 for a few days to review progress of the land acquisition program. We will have a report possibly within the next couple of weeks to see how this is to be phased out, and personnel having their work completed will be offered transfers. It is expected that there is enough work left to keep a small staff going through December.

Daniel J. Farrell, Jr., engineering technician, was transferred to Assateague Island National Seashore June 5. Mrs. Dorothy Hodgkins, clerk-stenographer (temporary), was terminated June 23 and re-instated in the administrative section, Cape Cod National Seashore.

MR. NICKERSON: Are there any questions on the progress reports?

MR. MCNEECE: I don't understand what will happen to Mr. Thompson's job in December.

MR. JOSEPH: No one can tell, because as we mentioned coming down in the car to some of you, the field representative of the Lands Division in making a survey with respect to details that need to be taken care of to appropriately and correctly take over existing transactions is not prepared to tell us what kind of a carry-over will be needed; but he is aware of the need for this, there is no way to know the details at this time.

MR. MCNEECE: Is there anything that we could recommend?

MR. JOSEPH: I think this is well enough known to our Lands people and I am assured that they will do their utmost to provide the necessary carry-over.

MR. NICKERSON: I think the Commission feels quite strongly it is important, if at all possible, to keep Mr. Thompson here to provide continuity unless it is going to come to an end completely.

MR. JOSEPH: The idea of keeping a person capable and familiar with the problem is familiar to all of us and your expressions will be helpful.

MR. NICKERSON: Is there anything we should do?

MR. JOSEPH: I will make your wishes known even more than they are in the Minutes.

MR. CHILD: You mentioned there was going to be a Historic Committee come up to see what should be preserved around the Highland House.

MR. JOSEPH: The Master Plan team will be here.

MR. CHILD: Could I be contacted? I have ideas about which house should be considered for preservation or restoration.

MR. NICKERSON: You mention the Old Dominion Foundation in connection with the Chief Naturalist's project. Has there been any further action taken?

MR. JOSEPH: No. Perhaps we should do that; anyway I have a letter from Mr. Brooks which I use as a reminder as to whether we should ask him to come up.

MR. NICKERSON: What is the feeling of the Commission? The idea was if we could get a representative of a Foundation to come we would discuss the matter of public information, that is methods to get the story before the public, by tape recordings, slides, movies or whatever.

MR. CHILD: Could you tell us a little bit more about the Old Dominion Foundation?

MR. NICKERSON: They sponsored Hatteras. They are the one whose identity the Park Service refused to disclose when the Seashore was under consideration. They are glad to contribute but don't like to have it appear on the surface.

Item 5. Fee Collection System

MR. JOSEPH: Mr. Jamison has prepared some information for you.

MR. JAMISON: It was announced on June 12 by press release that in accordance with the Land and Water Conservation Fund Act of 1965, fees will be collected at Cape Cod National Seashore after July 1. A letter was sent to Governor Volpe by the Washington Office on May 1 advising him of the intention to collect fees. Governor Volpe concurred in this on May 17. This is in accordance with the Act.

The fee will be a $1 permit which will allow a car and its occupants to visit any of the five protected beaches for any one day, or a 50 cent charge per person daily for those entering parking

areas on commercial or chartered buses. For those people who will be using the beaches more often, the $7 Golden Eagle Passport, which is good until March 31, 1968 is the most satisfactory arrangement. This passport is good not only at Cape Cod National Seashore but at any designated Federal recreation area in the United States. The only exceptions to these fees are:

1. Residents of Eastham who possess the white Eastham parking permit. This applies to Nauset Light and Coast Guard Beaches only. This is in accordance with the deeds conveying the land from the Town of Eastham to the United States in June 1963.

2. Persons using the parking areas as right of access to the privately owned land at Coast Guard Beach.

3. Persons conducting state, local or federal business. This applies to local police and rescue squads, firemen, government officials in pursuit of their business.

4. Persons engaged in commercial or other activities not related to recreation. This would be people working for the National Park Service concessioner at Herring Cove and Nauset Light beaches; tow trucks on emergency calls and things of this nature.

5. Student groups and persons in charge of such groups for educational purposes sponsored by a bona fide educational institution. We feel there will be very few under this category.

6. Persons under 16 years of age coming in on commercial or chartered buses.

At the time of the announcement we were not prepared to physically collect fees, so the tentative date of July 15 was set as the first day we would start collecting fees. We have since June 12 had five fee collection booths constructed and these will be installed at the parking areas during the week of the 10th of July, to be in place for fee collection on the morning of July 15. We have hired 12 "tellers" locally, who will be responsible for the collection of the fees at the parking areas. We plan to bring them on duty July 13 in order to give them two days of orientation in their duties, general information about the Cape Cod National Seashore, the National Park Service and the Land and Water Conservation Fund Act. These "tellers" will be in uniform. After the announcement of June 12 that fees were to be collected, a letter was sent to the Selectmen of the five towns involved, explaining that these fees would have to be charged, and the rates involved. A meeting was held with Selectman Luther Smith and Robert Erickson of Eastham to discuss the way the taxpayers of Eastham would be handled. It was decided at that time persons with the white Eastham stickers would be admitted free to Nauset Light and Coast Guard beaches. Arrangements have been made for money collected at these beaches to be deposited daily with the Federal depository which is the First National Bank of Cape Cod at Orleans.

We currently have on hand 31,000 $1 permits, 2,000 50 cent permits and 5,200 $7 Golden Eagle Passports. We feel that this is enough to start us off, with additional permits ordered.

MR. NICKERSON: You talked with the five towns? I can't see how they are concerned.

MR. JOSEPH: We wanted to keep them informed.

MR. CHASE: With regard to the Golden Eagle Passport. I am wondering if the cars will have anything on them to identify the owner as a purchaser of the Golden Eagle, to show the man at the entrance gate.

MR. JAMISON: The Act doesn't provide for a sticker.

MR. JOSEPH: This is one thing which was thoroughly considered throughout the country and the final decision was to use a wallet size card.

MR. CHILD: Have you heard any complaints - because I have.

MR. DIEHL: It is a bargain.

MR. CHILD: Of course it is you have to tell them that to make them aware.

MR. NICKERSON: Who do they think should pay if the people who use it shouldn't?

MR. CHILD: They paid more when it belonged to the State.

MR. CHASE: The State is going to get some benefit from these funds.

MR. CHILD: Most people don't know what the Land and Water Conservation Act is and how much money it brings in and what it is used for; we should explain this in some way.

MR. NICKERSON: Perhaps an explanation of where the money goes should be handed to people when they buy the Golden Passport or pay the parking fees.

MR. JAMISON: We plan to put out this information. There have been two or three articles in the paper about the Land and Water Conservation Act.

MR. NICKERSON: I mean in broader terms.

MR. JAMISON: We do have this material on order and will make it available.

MR. MCCARTHY: The Commonwealth of Massachusetts got $250,000 which has been allocated for planning and designing projects, eight or ten of them.

On the books we have about three million plus, and as of July 1 we will be eligible to pick up another one and a half million.

MR. CHILD: These and other facts should be made clear in your information.

MR. JAMISON: It is.

MRS. WILES: It isn't quite clear to me what percentage the State gets.

MR. JAMISON: 60% to the State, county and local governments through the State.

MRS. WILES: That isn't just towns in the Park, all towns in the State?

MR. JOSEPH: 60% to the State, 40% to the Federal government it is up to the State to decide how their funds are allocated.

MRS. WILES: It seems to me if land is taken from a town that that town should be given a percentage in lieu of taxes. Wellfleet and Truro should get it because land has been taken from them making higher taxes. It is only fair; what is the Federal Government going to do with its 40%?

MR. JAMISON: The Act is to provide additional recreational facilities throughout the United States.

MRS. WILES: Throughout the United States, let me see, Massachusetts is going to pay more for recreation, is that right? Then why in the name of heaven if Massachusetts wanted so much, why didn't they hang on to what they had; they had all of the Province Lands, now after giving it away they are going to turn around and take more from the people. I think Massachusetts is a very short-sighted state. It seems to me the state should have developed what they had instead of taking more from the people. It is water over the dam but very short-sighted. I think it should be emphasized that Massachusetts should hang on to what it has instead of turning it over to the Federal Government and then taking more from the people.

MR. NICKERSON: I think we have exhausted this subject, let's move on to the next item.

(Mr. Jamison leaves at 3:30 p.m.)

Item 6. Proposed South Wellfleet Beach

MR. JOSEPH: I have asked Mr. Bowman who coordinates our maintenance and operations program and works on programs with respect to proposed developments to sit in with us today and discuss the proposed

South Wellfleet Beach plan with you.

MR. BOWMAN: The major news of importance is that the developed area plan we talked about at various times from six to eight months ago was approved on June 12, although not exactly as we suggested. The plan has been revised and although we do not have a full wall display today we can pass the plan around the table for you to look at. Essentially it is the same plan but the earlier plan of going from South to north showed the principal road along Ocean View Drive in Eastham. One of the principal ideas that came out of the discussion and which accounted for some revision was that the flow of traffic to the beach development should move principally from U.S. Route #6 to the beach. This will be first phase construction. You may remember that there was a picnic area planned. It has been consolidated with the beach parking so that the picnic use area will be immediately adjacent to the beach parking road. The site of the beach is the one that most of us walked to in the early Spring. (The Commission studied the beach parking, road and related areas, Mr. Bowman explaining details)

I think it is going to work out well; we don't have any final design but the layout will lend itself to the area.

MR. NORGEOT: What is the name of this beach?

MR. CHILD: What is the town going to do with the land they have there in Eastham?

MR. JOSEPH: This is up to the town to decide; perhaps Ralph (Chase) can speak better than I.

MR. CHASE: They could improve the beach; there is a question of the title there now.

MR. MCNEECE: What will be the official name of this beach?

MR. BOWMAN: We have been calling it the South Wellfleet Beach; what it will be designated I don't know.

MR. MCNEECE: Will the Wellfleet people like that?

MR. JOSEPH: Any suggestions for naming the beach Mrs. Wiles?

MR. BOWMAN: For the first phase we are trying frantically to shuffle money around to get the money for it. If you have any particular questions I would be glad to try and answer them for you.

MR. JOSEPH: I think it is a good plan. Does the Commission feel it is a good plan?

MR. NICKERSON: I think Mr. DeSilets has done a good job. This ignores any suggestions about camping at this time but there is plenty of room for it if you want it at a future date.

MR. DIEHL: Is this now in the Master Plan?

MR. JOSEPH: It is the equivalent to being in the Master Plan. It is not in the formal plan but having a developed area plan virtually puts it in.

MR. DIEHL: When will the beach be ready for use?

MR. BOWMAN: We always get in trouble when we say it will be ready for next year, but it is not an impossibility.

MR. NICKERSON: If the road were ready I think it would take a lot of pressure off.

MR. JOSEPH: As Jim indicated the next step is program change in which construction money from other projects will be made available for this. You will be advised of program timing and that will be an indication of when the work will be done.

MR. CHASE: Would changing the location of the road have anything to do with holding that up?

MR. JOSEPH: I don't think there was any material delay on that account. I think it is imperative as we agreed with Mr. DeSilets that the circulation be understood fully before you do an important segment like South Wellfleet beach.

MR. CHASE: Is there anything particular holding up access into the beach?

MR. JOSEPH: The only problem is the one we have previously discussed with the town of Wellfleet, a right of way or exchange of town owned land. We discussed this on June 12 and will discusss it again on July 10.

MR. BOWMAN: Program changes are in the works; they are working on it; it seems as though there is enough money for the roads portion right now but it has to be a program change.

MR. NICKERSON: You have abandoned the idea of using the Range Road for an access?

MR. JOSEPH: Yes. There appears to be sufficient money to get road and parking lot.

MR. NICKERSON: That, without a bathhouse, would take a lot of pressure off other beaches.

MRS. WILES: How many acres at Provincetown at Race Point are used for parking?

MR. BOWMAN: I can't give you the acreage figure, but 350 cars can be parked there.

MRS. WILES: That must take three or 4 acres.

MR. NICKERSON: Howmmany at South Wellfleet beach?

MR. BOWMAN: The first go-around shows five hundred, but there is room for expansion.

MR. NICKERSON: Why not put the picnic area on both sides of the parking lot instead of one side? Probably because this wouldn't allow for future expansion of the parking area. Do you want any action from the Commission Stan?

MR. JOSEPH: Not necessarily; you have reviewed it; unless there is some objection.

MR. NICKERSON: Is the Commission satisfied?

ANSWER: Yes.

Item 7. Commercial Operations

MR. JOSEPH: The proprietor of Thompson's Clam Bar in Truro came in and as recommended he then wrote to us concerning plans for his operation. He wrote us two letters, one requesting that the United States purchase the restaurant and the land; however that they understood we cannot purchase it. The second letter read as follows:

"Speaking for the Trustees, under the will of Laura S. Thompson, and referring to the property known as "Thompson Brothers' Clam Bar", Route 6, North Truro, Tract #11T2211, I would like to request permission to put the roof over the existing terrace in accordance with the plan filed in your office on June 1963. This plan was approved by the Board of Appeals of Truro and by your office at that time. For various reasons we did not go ahead with the construction. We have since been back to the Truro Planning Board and, on June 20, 1967, they issued us Permit #6744 to construct the roof over the patio in accordance with the same plan on file in your office. This plan was approved by both the Appeal Board and the National Park Service in 1963. We would like to go ahead with the construction at this time if you deem it possible.

"We are in the process of filing for our Certificate of Suspension of Condemnation beyond December 31, 1968. In the event we are granted this Certificate it is our plan to enlarge the kitchen and modernize it, to improve the physical appearance of the building, and to do something about landscaping to improve the appearance. We also have thoughts of removing the large ugly sign on the top of the building.

"Thanking you kindly for your consideration in this matter."

This letter is signed by Frank H. Thompson "for the Trustees".

In order to expedite this matter for the business operator I telephoned the officers of the Commission and proceeded as follows: under date of June 23, 1967 I wrote Mr. Thompson:

"This will acknowledge receipt today of your letters of June 23, 1967, one of which indicates your desire to sell The Clam Bar to the Cape Cod National Seashore and the other of which requests permission to construct a roof over the existing terrace in accordance with the plan filed in June, 1963, and subsequently confirmed by the Truro Planning Board on June 22, 1967. The second letter indicates your plans in the event your Certificate of Suspension of Condemnation for Commercial and Industrial Property is extended beyond its present expiration date of December 31, 1968. The application for this extension contained in your letter will be taken up at the next meeting of the Cape Cod National Seashore Advisory Commission on July 7, and you will be promptly advised of their decision.

"As discussed with you, funds are not available for the purchase of the property. However, you may proceed immediately with the construction of the roof in accordance with the above mentioned plan provided that the project costs no more than $3,000. Should the cost be more than $3,000 it will be necessary to make a formal application for consideration at the next meeting of the Cape Cod National Seashore Advisory Commission."

Most of you noted today he has completed the roof and obviously did it on the basis that it conform to this letter.

MR. CHILD: Why did you put on a $3,000 limit?

MR. JOSEPH: That was considered the reasonable approach by the Commission officers and myself as something beyond which would need further consideration.

MR. DIEHL: He has put in new flooring and is now willing to rip down the sign.

MR. NICKERSON: Have we his application?

MR. JOSEPH: I told him the correspondence would constitute an application. We need formal action of the Commission as to whether we would take immediate action to extend his Certificate up to five years.

MR. DIEHL: On condition he remove the sign and improve the landscaping, stipulate that.

It was Moved by a Commission member, Seconded by a Commission member and affirmatively VOTED to extend the Suspension of Condemnation Certificate of the Thompson Clam Bar Restaurant to expire on December 31, 1973.

MR. JOSEPH: A formal application has been received from Del Johnson for the Governor Prence Motor Lodge. There is no record of a previous application on file but I believe that should be waived as an informality. To bring the Governor Prence into conformity with other similar operations a Certificate should be issued to expire December 31, 1968 if the Commission concurs.

MR. NICKERSON: He wants it for a longer period.

MR. JOSEPH: I think he should apply for an extension after the Certificate is issued, to keep the record straight.

MR. NICKERSON: Give it to him now through 1968?

MR. JOSEPH: Yes, and if he makes a formal request for an extension we will bring that in to you.

MR. NICKERSON: Why not give him a permit and extension at the same time? I think in order to give him something to go on we ought to give him a Certificate and an extension through 1973.

MR. MCNEECE: As a matter of procedure it would be better to give him a Certificate through 1968 the same as all the others and he could then request an extension for five years.

MR. NICKERSON: I think you are right. Bring back his request for an extension to another meeting.

MR. CARLETON: Would that be automatic?

MR. NICKERSON: No.

It was Moved by a Commission member, Seconded by a Commission member and VOTED to issue a Certificate of Suspension on Condemnation to the Governor Prence Motor Lodge of Truro for a term to expire December 31, 1968.

Item 8. Agenda Items and Date for Next Meeting

MR. NICKERSON: What about Agenda and date for next meeting. One thing we touched on today was this business of beach buggies. Do you want to talk about it today.

MR. JOSEPH: It wouldn't be bad Mr. Chairman. It is not necessary to do it at this meeting. We have this in mind particularly because the National Park Service has as a 1967 goal in this Region the development of plans for beach management, dune stabilization, beach buggy control and water safety. Your advice and comments on these questions will be very helpful.

MR. MCNEECE: This might consume more time than we have available today. Wouldn't this be a good idea for next meeting?

MR. CHILD: How are you going to handle them in regard to fee collection under this new system?

MR. JOSEPH: The only fee, as outlined by Lyle (Jamison) is the parking fee at the five beaches. If they go to a protected beach they pay just like any other vehicle.

MR. NICKERSON: But they don't go to them.

MR. JOSEPH: There is no other method of collecting fees at this time.

MR. CHILD: It doesn't seem fair that they should go in free and everyone else has to pay.

MR. JOSEPH: This is the type of thing that would be extremely helpful in connection with overall operation of beach buggies and collection of fees.

MR. NORGEOT: I was going to suggest asking Mr. Vanesse to be present at any meeting at which beach buggies etc., were discussed.

MR. NICKERSON: Ask him to come to the meeting at which this will be discussed. He has been at one of our other meetings.

MR. CHILD: As I see it they are going to come right by checking point where ordinary cars pay. How are you going to let them go in free and make the others pay?

MR. DIEHL: I thought there was a possibility of going to Monomy Island at the next meeting.

MR. MCNEECE: Are you in touch with Wallace Bailey on this? We can't invite many outside guests for this trip.

MR. NICKERSON: It is lovely there in September.

MR. JOSEPH: The beach buggy subject might be a good item for the Agenda at the next meeting.

MR. NICKERSON: I don't think you are going to have much control at points of entrance without a great deal of expense, there are too many ways of getting in. A patrol system would be better.

MR. CHILD: They can't get in after Wellfleet at only about three places.

MR. NICKERSON: They can get on the beach in Wellfleet.

MR. CHILD: This is going to be a problem when you ask everybody else for $1 and they go in free; it is a problem than . . . .

MR. NICKERSON: Maybe this will be helpful in controlling them; why should they get in free, they are getting to the point where they think their privilege is a right.

MR. CHILD: I think we might make the suggestion that the Park Service treat the beach buggy like any other vehicle.

MR. JOSEPH: Do you mean to charge a fee?

MR. CHILD: Yes.

MR. NICKERSON: Maybe you don't want to charge; maybe you don't want them to stay over night, in other words indiscriminate and uncontrolled camping. Let's put this on as an Agenda item for the next meeting.

MR. CARLETON: Is the Highland House coming up?

MR. JOSEPH: I discussed what action has taken place, but would you like to consider anything further?

MR. NICKERSON: Let's set the date for the next meeting.

It was determined that the next meeting will be held on August 4, and the September meeting will be held on September 8.

MR. CHASE: How are you coming on the plans for the trip to the Fire Island National Seashore?

MR. JOSEPH: The proposed trip planned with the Air Force has failed to materialize. Leo mentioned something about the Congressional Delegation at one or the other of these two dates and the possibility of asking Ernest Brooks of the Old Dominion Foundation raises a question, did you think he should be here at the Advisory Commission meeting?

MR. NICKERSON: I think he should be here at a regular meeting.

MR. JOSEPH: Would you like him August 4?

MR. NICKERSON: Yes.

MR. CHILD: I suggest a letter be written to Mr. Malicoat thanking him for his hospitality today on our field trip.

MR. NICKERSON: Any other items for the Agenda next meeting? If we can get Brooks and take up the beach buggy item perhaps that will be enough.

Item 9. New Business

No new business appearing the meeting adjourned at 4:10 p.m.

Forwarded to Dr. McNeece
from Cape Cod Nat' Seashore
for Info.
By: Supt. Joseph Date: 8/29

(For Administrative Use Only)

M I N U T E S

Sixtieth Meeting

CAPE COD NATIONAL SEASHORE ADVISORY COMMISSION

AT

Headquarters, Cape Cod National Seashore

August 4, 1967

AGENDA

CAPE COD NATIONAL SEASHORE ADVISORY COMMISSION

Sixtieth Meeting

August 4, 1967

Item	Subject
1.	Adoption of Agenda
2.	Approval of Minutes of Previous Meeting
3.	Communications Received by the Commission
4.	Progress Report - Cape Cod National Seashore
5.	Land Status - Province Lands Area (Mrs. Hazel H. Werner - 2:00 p.m.)
6.	Conservation Education Projects
7.	Proposed Guidelines Re: Improved Property Alterations
8.	Agenda Items and Date for Next Meeting
9.	New Business

The sixtieth meeting of the Cape Cod National Seashore Advisory Commission was held on August 4, 1967 at the Administration Building in the Marconi Station area, South Wellfleet, Massachusetts with the following members present:

MEMBERS	Recommended by
Joshua A. Nickerson, Chairman	Barnstable County
Leo E. Diehl, Vice Chairman	Secretary of the Interior
Robert A. McNeece, Secretary	Town of Chatham
John W. Carleton	Town of Truro
Ralph A. Chase	Town of Eastham
Josiah H. Child	Commonwealth of Massachusetts
Nathan Malchman	Town of Provincetown
Esther Wiles	Town of Wellfleet

OTHERS: National Park Service, U. S. Department of Interior

William W. Redmond	Regional Solicitor, Northeast Region
J. Frank Mentzer	Asst. Reg. Dir., (Public Affairs) NERO
Stanley C. Joseph	Superintendent, Cape Cod National Seashore
George H. Thompson	Land Acquisition Officer, CCNS
Norton M. Bean	Chief Park Ranger, CCNS
Vernon D. Dame	Supervisory Park Naturalist, CCNS
Lyndell Baldwin	Secretary, CCNS

ALSO: Mr. Ernest Brooks, Jr., President, Old Dominion Foundation
Dr. Nathaniel L. Champlin, Mrs. M. R. Werner and Miss Margaret Watson, Committee representing the Great Beach Cottage Owners Association.

Absent Commission members were: Arthur Finlay (Town of Orleans) and Robert L. Yasi (Commonwealth of Massachusetts).

The meeting was called to order at 1:40 p.m. by Chairman Nickerson.

MR. NICKERSON: I understand that Mr. Malchman is coming, but Mr. Finlay is not. Mr. Yasi is sending Mr. Arthur Brownell, Director of

Conservation Services in the Massachusetts Department of Natural Resources to represent him here today. I take this opportunity to welcome to our meeting today and introduce to you Mr. Ernest Brooks, Jr., President of the Old Dominion Foundation, and to welcome for a return visit Assistant Regional Director (for public affairs) from the Northeast Regional Office of the Park Service in Philadelphia, Frank Mentzer, and also the Regional Solicitor, William Redmond.

Item 1. Adoption of Agenda

It was moved by Mr. Child, seconded by Mr. Diehl and affirmatively VOTED to approve the Agenda as printed.

Item 2. Approval of Minutes of Previous Meeting

MR. CHILD: I seem to be the "forgotten man" in the record. I was present at the field trip and at the meeting, but the minutes do not indicate this.

MRS. WILES: On page 20, item 4 says:

"Persons engaged in commercial or other activities not related to recreation. This would be people working for the National Park Service concessioner at Herring Cove and Nauset Light beaches; tow trucks on emergency calls and things of this nature."

Are people going to have to pay to go and pick beachplums, or are they going to be allowed to park free? Mr. Gibbs told us we could go.

MR. NICKERSON: Would they be likely to use the parking lot?

MRS. WILES: Yes. On High Head.

MR. JOSEPH: What time of the year would this be?

MRS. WILES: From the middle of August through September.

MR. JOSEPH: Is that at High Head or Head of the Meadow?

MRS. WILES: It is all over the dunes. Where we went at Pilgrim Heights the road has been blocked off.

MR. JOSEPH: There is no charge for parking at Pilgrim Heights. The parking fee is in effect at the five protected beaches only. Possibly we could work something out, particularly if they are in a parking area where a fee is charged.

MRS. WILES: Lots of children go with their parents and earn their school clothes that way.

MR. NICKERSON: They would not be using Herring Cove, Race Point, Coast Guard, Nauset Light; only Head of the Meadow?

MR. DIEHL: What place do you want to use?

MRS. WILES: Head of the Meadow.

MR. CARLETON: After September 1 you can use the town beach.

MR. NICKERSON: Couldn't you make some kind of an arrangement?

MR. JOSEPH: The law says we must charge with the exceptions noted; but I will be willing to look into it. It is going to be awkward to publish any exception but if I know of any specific case, I will be glad to do whatever I can.

MR. NICKERSON: On page four, next to the last sentence should read: "By both Keith and Philbin to raise the ceiling to $28,000." Since our last meeting I understand that Senator Kennedy has also filed a similar Bill.

It was moved by Mr. Diehl, seconded by Mr. Child and affirmatively VOTED to approve the Minutes with the changes mentioned above.

Item 3. Communications Received by the Commission.

MR. NICKERSON: I have had a telephone call from Mrs. Hazel Werner, followed by a letter dated July 31, 1967 signed by Andrew D. Fuller, Jr., the Co-Chairman of the Great Beach Cottage Owners Association, both with reference to Agenda Item 5. Mrs. Werner wanted to come before the Commission to explain the problems of the cottage owners in the area and I have arranged to have her here at 2 p.m. today. I would like to read Mr. Fuller's letter to you: (Reads)

"Dear Mr. Nickerson: We understand that your Commission acts in an advisory capacity, recommending policy to the National Park Service, and that your Commission represents, among others, owners of private property located within the Cape Cod National Seashore.

"The Great Beach Cottage Owners Association is an organization of such property owners.

"At a meeting held on July 30 our members expressed great concern over the burning of a building owned by one of our members, Mr. Anthony Vevers.

"We understand from several of our members, including Mr. Vevers, that Mr. Richard Strange, Ranger of the National Park Service, admits to the responsibility for this deliberate act.

"Our attorney, Mr. Robert L. Meade, wrote a letter (copy attached) on July 14, 1967 to Ranger Strange, in which he requested written assurance that henceforth the rights of private property owners will be respected.

"To date, there has been no reply.

"We would appreciate any help the Advisory Commission can provide in eliciting from the National Park Service some explanation of their reasons and authority for having destroyed this building, and some statement as to their policy respecting the remaining buildings belonging to members of our Association, which will provide assurance that such an act will not be repeated.

"Your assistance in this matter will be greatly appreciated."

Inasmuch as Mrs. Werner is expected at 2 p.m., Mr. Joseph is there anything you would like to have your people say before she comes in?

MR. JOSEPH: The situation with regard to the cottages has been long standing. I am aware of correspondence and meetings stemming from 1963. We do have certain material available that I would like to ask Mr. Bean to present to you in respect to the burning of the building, and perhaps the buildings themselves.

MR. NICKERSON: In 1963 to the best of my recollection we recommended individual negotiation and suggested that after securing legal advice as to their status temporary permits be worked out for a limited number of years.

MR. JOSEPH: This was further verified with the Secretary. As you know the final recording of deeds to the Pilgrim Spring State Park and Province Lands was accomplished very recently. It is now time to address ourselves to the individual cases.

MR. NICKERSON: This would apply to cottages that never were in private ownership.

MR. JOSEPH: Perhaps Mr. Redmond can make more specific comment. There are two or three types of land involved, State Park lands, other lands between the two State Parks in private ownership, part of which in order to clear the title is now under condemnation. Anything you can say Bill (Redmond)?

MR. REDMOND: Those on privately owned land we can't do much about now because some of the people are living there with the permission

of the owners. If they could establish title to the real estate or land around the cottage they might be considered owners of improved property. On the other hand if they have no deed we could probably deal with them tentatively, on the basis of a Special Use Permit or something of that sort. With respect to the people on the former state land in Pilgrim Spring State Park that is what I have recommended and Stan (Joseph) concurs. We will send out notices to them to the effect that they are in trespass and that they should contact the Superintendent and at that time . . . .

MR. NICKERSON: You would negotiate occupancy for a period of years?

MR. REDMOND: We think that they should at least bring their standards up so that they have at least toilet facilities and are in compliance with the zoning of the towns in which they are located. We would recommend that they have a secure lock or bolt on the door and windows to keep vandals out or anyone going in and using the building; also keep the premises up, many are unsightly.

MR. NICKERSON: None of them are in the Province Lands? How many are there all together?

MR. JOSEPH: There are about twenty-six in all; eight in the former Pilgrim Spring State Park.

MR. NICKERSON: Twenty-six in all; wouldn't some be on privately owned land?

MR. JOSEPH: Yes. All but about eight.

MR. NICKERSON: So that you are dealing with only eight. From the technical point of view if they own the land where the cottage is it is coming into the improved property category.

MR. REDMOND: There are only two or three of those.

MR. NICKERSON: So you have twenty on state land with no title.

MR. REDMOND: We don't know. If they have occupied the land for the statutory period they may have adverse claims of right against the State.

MR. NICKERSON: Even in that case they wouldn't come under improved property.

MR. REDMOND: We don't know. The comment made by our Washington office was that in order to qualify as owners of improved property the land and improvements had to be under the same ownership. I suppose if they have established a title by adverse possession they might very well be. I think probably Mr. Thompson or Mr. Bean in their contacts with these people have found there are not too many who really assert adverse possessionary rights.

MR. BEAN: Mrs. Werner was supposed to have some special arrangement on her property with Mr. Bede and before that with the Coast Guard. (Mr. Bean showed before and after photographs of the Vevers cottage and others in the area.)

The Vevers cottage was burned by the North District Ranger following instructions to do so. We checked into the ownership with the lands

section and apparently there was no owner, this was reinforced by reports from seasonal rangers over the past several years.

MR. NICKERSON: Actually as far as the Commission goes the only thing we can do is listen to Mrs. Werner and perhaps we can discuss this in more detail after she leaves.

MR. JOSEPH: It should be pointed out, and Ben (Bean) has the reports, that our rangers have observed the uncontrolled use of some of these buildings.

MR. BEAN: Park Ranger Hedlund wrote in his report to me as follows:

"Having had the duty of Sand Patrol during the summers for the past four years, I was able to and did check Mr. Vever's cottage at least every other day. I noticed no improvements whatsoever to the exterior or interior. The reason the interior could be checked was that the door was either torn off or hanging loose.

"There seemed to be a continual buildup of junk such as bottles, an old stove, mattress spring, papers, beer cans and general litter.

"It was a place of concern to me because it was an appealing hang-out for undesirables. It was because of this appeal that I was forced to check this cottage so often.

"In my four summers of close check on this property, I had no contact with the owners. The many people that were contacted were asked to leave the property because of violations of Park Regulations."

North District Ranger Strange wrote in his report to me the following:

"Subject (Tony Vevers) cottage was located approximately 1/2 mile NW of Head of the Meadow Parking area near the edge of the sea cliff off the Sand Route about 100 yards.

"I had noticed this cottage many times on patrols over this sand route and noted the disrepair of the building and premises. There was an old stove, bed springs, cans, bottles and assorted trash and litter surrounding the building.

"On one occasion, February 3 and 4, 1967, the cottage was occupied by persons of rather questionable appearance. This was discovered on the 4th and the person requested to leave and not return.

"Fresh additions of litter and garbage from time to time indicated that others had made this cottage their shelter. I never saw a door on the building, nor any furniture inside. The floor was covered with sand and the room dotted with cans and bottles. Various obscene writings were on the walls.

"A search of Land Records in the Headquarters files revealed no owner of this property. It was situated on the former Pilgrim Spring State Park, which was deeded over to the National Park Service.

"There was another shack a short distance south of this cottage, which was formerly used by the Coast Guard. It was in a similar state of disrepair and an attraction to undesirable types. I requested permission to clean up these two areas by burning and received permission from the Chief Ranger's Office. The Coast Guard building was inspected by Park Historian Lohr before it was burned on April 12, 1967.

"The Vever's cottage was burned April 15, 1967 and the surrounding junk cleaned up and removed.

"Pictures, before and after were taken of both structures."

The Grace Bessay cottage was destroyed by fire on June 30 by unknown vandals. Three boys were apprehended, but they were not close enough to the burned building to warrant pressing a charge against them for this.

MR. NICKERSON: Is there anything more you want to add before we ask Mrs. Werner to come in?

MR. CHILD: Would it be pertinent to read the letter the lawyer wrote to Ranger Strange?

MR. THOMPSON: (Reads letter dated July 14, 1967 signed by Robert L. Meade, Counsellor at Law, 26 Evans Way, Boston, Massachusetts.)

"Dear Mr. Strange: I represent a group of owners of real estate in the Provincetown-Truro area who are known as the Great Beach Cottage Owners Association. This group take a great deal of pride in their tradition of conserving portions of our natural resources as places in which people can live and live relatively unencumbered by the more offensive invations of Twentieth Century irritations. Consequently they are legitimately concerned when the National Park Service, which extensively desires the same goals, takes action that would seem to indicate an approach antagonistic to them. In this regard I have been informed by the Association that the cottage of one Mr. Vevers was recently burned to the ground deliberately by agents of the National Park Service without the consent or even knowledge of Mr. Vevers. If this allegation is true, I can only say that I hope Mr. Vevers pursues his obvious legal remedies vigorously. (Mr. Vevers I understand is currently in Europe and is usually represented by other counsel locally.) Whatever the truth, or reasons for that action I want to put it most strongly that the rights of private owners are expressly protected by the enabling legislation establishing the Cape Cod National Seashore. The legislative history of this act bristles with reference to the rights of owners in the area affected. Any actions that interfere unilaterally with their rights of ownership are unlawful and indeed could constitute crimes under Massachusetts law.

"I want, by this letter, to put you on notice of something that I am sure you as a responsible government official already know, namely that the Great Beach Cottage Owners Association will not tolerate any acts on the part of the Park Service or acts caused by them that derogate from the ownership rights of the members, and due to the unfortunate "Vevers" situation I would expect that you would indicate in writing that henceforth, at any rate, the rights of such owners will be fully respected."

MR. BEAN: We have drafted a reply and sent it along to our Regional Solicitor, Mr. Redmond for his review.

MR. JOSEPH: Subject to review by legal counsel we will be replying shortly.

MR. REDMOND: Under the laws and regulations of the Service covering the disposal of abandoned property on Federal land this procedure was proper. Perhaps we are remiss in not locating Mr. Vevers.

MR. NICKERSON: Was there any furniture in the building?

MR. BEAN: No.

MR. NICKERSON: Is there any water supply there?

MR. BEAN: Not to my knowledge.

MR. NICKERSON: I would like to suggest for one thing that it be referred to as a "shack" rather than a "cottage". I think there is a difference. Was it burned down technically because it was unsightly or because of what was going on there?

MR. BEAN: Both.

MR. NICKERSON: Has the Park Service the right to burn it because of these technicalities?

ANSWER: No.

MR. NICKERSON: Because it invited improper use?

MR. REDMOND: If property is abandoned on Federal land it is considered the property of the United States. As abandoned property it becomes then surplus property and if the cost of moving or disposition by sale would exceed its value it would be proper to burn it or raze it in any manner.

MR. MCNEECE: Was a determination made that it was abandoned?

MR. REDMOND: More or less. No one was seen occupying it for more than four years. As far as the use of it is concerned one of the motivating factors in disposing of any property in this way is that very frequently it is used as a refuge for escapees or others.

MR. CHASE: Do these people pay taxes to the town? Is there any record of the ownership on the town records?

MR. CHILD: None of them pay taxes to Provincetown.

MR. CARLETON: I am pretty sure they don't pay taxes to Truro. I will check if you wish. Most of them are in the town of Truro. I doubt if there is any record of ownership for tax purposes.

At 2:10 p.m., Dr. Nathaniel L. Champlin, Mrs. M. R. Werner and Miss Margaret Watson joined the meeting and were introduced by Chairman Nickerson.

MR. NICKERSON: I just explained about our telephone conversation Mrs. Werner and the subsequent letter which I received addressed to the Advisory Commission from Andrew D. Fuller, Jr., Co-Chairman of the Great Beach Cottage Owners Association. I should explain also that this Advisory Commission, as you probably know, has no authority; our sole function is to advise.

MR. CHAMPLIN: We appreciate your taking time in the interest of our group. (Reads)

"The Committee to approach the Advisory Commission to the Cape Cod National Seashore was elected at the July 30th meeting of the Great Beach Cottage Owners Association. The Committee is made up of Mrs. M. R. Werner, Miss Margaret Watson and Dr. Nathaniel L. Champlin.

"Our concern grows out of the fact that a building owned by one of our members, Mr. Anthony Vevers, has been burned down and, apparently, as a deliberate act on the part of the National Park Service.

"We have reason to believe that the building was burned down after an evaluation of the building itself and/or of the use to which the

building was put. Accordingly, we believe that there were criteria, reasons or bases for the act, and that these are not available either to Mr. Vevers or to the Great Beach Cottage Owners Association.

"Our letter to the Park Service - to Mr. Strange, head Ranger - written by our attorney and requesting clarification both of the act of burning and the reasons for the act, has gone unanswered.

"We believe that human rights - private and personal - are at stake in this matter and we turn, therefore, to you. For us, (indistinguishable word) the Advisory Commission to the Cape Cod National Seashore represents those rights. As a group of responsible leaders of the community it has distinguished itself by protecting those rights through evaluation and proposing policy for the Cape Cod National Seashore. We therefore request that the Advisory Commission explore the matter with a view to providing us with clarification both about the casual agent and the evaluation behind the burning incident."

Our main interest is that if there are burnings in the future those who are related to the situation be notified sufficiently in advance to protect themselves.

MR. NICKERSON: May I ask a few questions? This building was a one room shack, did it have furniture in it?

MR. CHAMPLIN: I am not prepared to describe the interior because I have not seen it.

MRS. WERNER: I haven't seen it in years. I occupied it myself many years ago, it contained furniture then but I don't know about recently, but I know Mr. Vevers went out there weekends or just overnight sometimes; they weren't living in it, using it for a beach house.

MR. NICKERSON: We have made some inquiries. It would appear there was no furniture except broken bedsprings, cans, etc. There was no door and it was not used by the owner but by people of doubtful character.

MRS. WERNER: This can happen to anyone. One of my places that was vandalized would look like that. Mr. Vevers is teaching at Purdue University and he was using it only as a beach house in the summer. He owns a house in Provincetown where they live.

MR. CHILD: Most of them are summer cottages and therefore minus the usual trappings.

MR. NICKERSON: Our information seemed to indicate there was no furniture and no door, but a considerable amount of debris and that it was being used by people of questionable character as a place to go. There were gross obscenities scrawled on the walls.

MR. CHILD: Was the burning done on the basis of some criteria you have mentioned?

MR. NICKERSON: No. I am just describing it to get the picture. This is not the type of some others I have seen and know about. This is quite a different situation.

MR. MCNEECE: When was the last time Mr. Vevers occupied the shack?

MRS. WERNER: Summer before last.

MR. NICKERSON: I suppose he has been paying taxes to the town of Truro.

MRS. WERNER: I don't know.

MR. CHILD: The criteria for burning was not published; you say that some buildings are neat and some are not neat.

MR. NICKERSON: I doubt if that would be criteria.

MR. CHAMPLIN: Our members are concerned that they be aware of whatever is the criteria for such an act so that they can act accordingly.

MR. JOSEPH: We are quite well aware of all factors from every standpoint. The property in question was in the former Pilgrim Spring State Park. Some properties your members occupy are on private lands. As long ago as 1963 with particular reference to the former State properties it was hoped that before the State transferred the land to the United States these matters could be rectified. It was clearly understood that as we go forward with our work here that each situation would be examined case by case, and I think speaking for the National Park Service that you can be assured a case by case study will go forward. We do contemplate contacting all owners and analyzing each case.

MR. CHAMPLIN: Burning apparently is a matter of policy and could in fact take place there again.

MR. NICKERSON: This cottage wasn't actually occupied. It had all the appearance of being abandoned and was being used by unauthorized people.

MR. CHAMPLIN: We would appreciate clarification as to whether burning is in fact policy, and if it is what is the basis for what will be burned and what will not be burned.

MR. NICKERSON: I can answer your question in part by explaining that apparently in this area the situation is complicated by the fact that all of it was State owned land. Between the Province Lands and Pilgrim Spring State Park there is privately owned land. The owners are protected by the Act which provides that under certain conditions their property

cannot be condemned, so you have a complication of situations where some people have squatted on State owned land. I don't know whether you would care to make a statement regarding this situation.

MR. REDMOND: Federal laws and regulations provide where property is abandoned on Federal land and we are unable to determine the owner we may dispose of it as surplus property, and where the cost of selling on the spot, or removal under the regulations is prohibitive it can be destroyed. In this case I think the facts supported the conclusion that the property was abandoned. Park Rangers had not seen any regular occupancy for four years and as Mr. Nickerson has pointed out the property gave every appearance of being abandoned, there was an accumulation of garbage and refuse, it was believed it was not the rightful occupant who was visiting, and it was on the basis of the judgment made on those facts that the decision to burn was made. It was not burned to force a situation or to bring anything to a head, but merely on the judgment it was abandoned property.

MR. DIEHL: On what ground can we condemn? What constitutes the term improved property?

MR. NICKERSON: For all practical purposes such dwellings are not subject to condemnation during the time the town has in force an appropriate bylaw approved by the Secretary, so that this would apply to not only beach dwellings but a house which may be a fine residence.

MR. CHILD: In the effort to determine whether the building was abandoned was Mr. Vevers contacted?

MR. BEAN: No. He wasn't. We were not able to determine who the owner was from land records.

MR. NICKERSON: I think it ought to be clear, and while I have no authority to make this statement, the burning of this particular property was not a matter of policy which is going to apply to other properties which is what you are concerned with. We are dealing with this situation on its particular merits. With property such as Malicoat's, no such policy would be in effect. Is that a fair statement?

MR. JOSEPH: Yes.

MR. CHILD: I understand you have a register with pictures of each one of the cottages with the owners' names and addresses, but you didn't have any information about the Vevers property. Is that true?

MR. BEAN: That is true.

MR. JOSEPH: We have attempted to obtain from all possible sources information about each cottage. We do look at them case by case and it was the circumstances in this one case which determined the action. It was not arbitrary or policy.

MR. NICKERSON: The question actually arises as to the date they were erected. If since September 1959, they are subject to condemnation.

MR. JOSEPH: I believe all of these have been there for many years.

MR. CHILD: It would be interesting to know how far you have gone on checking the name of each one of the owners.

MR. CHAMPLIN: One act of vandalism can reduce these buildings to a point where rehabilitation would be quite out of the question.

MR. DIEHL: As I understand it you represent the owners of about twenty-six. Are you familiar with most of them?

MR. CHAMPLIN: It wouldn't be fair to say that I am. I am to the west. Phil Malicoat is my neighbor.

MR. NICKERSON: Is your property on privately owned land?

MR. CHAMPLIN: Yes.

MR. NICKERSON: That is in a different category entirely. It points up the necessity of treating each one on its own merits. If your cottage is on privately owned land to which you have title and has been there since before 1959 it is protected by the Act itself.

MR. CHAMPLIN: Members of the Association who have dwellings look upon the buildings as matters whose legal status has yet to be determined.

MR. NICKERSON: Maybe they have gained ownership of the land by adverse possession.

MR. CHAMPLIN: Some of them like to think they are acting in the belief that this is their land, they have lived on it for years and loved it. Ownership is a matter to be contested in the minds of many of the owners in the Association.

MR. CHILD: You are evidently in Provincetown. You pay taxes to Provincetown?

MR. CHAMPLIN: The ownership of my land is a matter of contest.

MR. REDMOND: I wonder if I might advise that with respect to the cottages on land in the former Pilgrim Spring State Park, now Federal, they will in a relatively short time receive notices of trespass which we are sending in order to get them to come in and discuss the situation with the Superintendent. There should be no particular alarm because of this; it is the best way for launching settlement on negotiations with the owners of the cottages.

MR. CHAMPLIN: It is difficult to speak for an organization, but this group is made up of people in the National Park that consider themselves as property owners and humans.

MR. NICKERSON: They can be reaasured that with this burning, the circumstances were not characteristic of the situation.

MR. CHAMPLIN: They did hope this group in its advisory capacity would take into account this fact.

MR. NICKERSON: We did that in 1963. My recollection was that we recommended to the National Park Service that each cottage owner or shack owner or whatever you want to call it in this area should be dealt with separately. In some instances they come under the category of owning land by adverse possession. There was a similar situation at Monomoy. They worked it out. Some were destroyed, some will be occupied during lifetimes. It is a similar situation to what is found on the outer beach in Chatham and Orleans. Some are on privately owned land, some on town owned land.

MR. DIEHL: Could you tell me how you obtain a list of owners? Does it add up to 26?

MR. BEAN: I believe it does.

MR. DIEHL: I suggest,Mr. Champlin, that you give us a list of owners; would you mind turning it over to the Park?

MR. NICKERSON: They could check this against their list.

MRS. WERNER: A suggestion came to me recently that these cottages need to be registered. So if I am registered it is quite without my contributing to the information.

MR. THOMPSON: Mrs. Werner has furnished us in the past the list of those in the Great Beach Cottage colony. We have these names and addresses and are trying to relate them to various properties. That was furnished about 3 years ago.

MR. NICKERSON: We can assure you that it is not policy to burn the cottages one by one.

(THE DELEGATION LEAVES AT 2:40 pm)

MR. NICKERSON: They evidently were not familiar with this particular cottage. You will proceed on an individual basis and are not going to burn any more?

MR. JOSEPH: The Bede tract is under condemnation; that will clarify some rights.

MR. DIEHL: Wouldn't you require that they have some sort of toilet facilities or running water? You can't pass this off as improved property.

MR. NICKERSON: I think this is a moot question because up until a few years ago there were few houses that had running water.

MR. REDMOND: We thought of water supply and sanitary control to the extent that unauthorized occupancy is not anticipated. I will incorporate these steps in the notice of trespass.

MR. CHILD: About 50% of these so called shacks are quite elaborate. They pump water into a tank and have sanitary facilities. The other half are really low grade.

MR. CHASE: Under the Act they have to show ownership to the land.

MR. NICKERSON: They may have ownership by adverse possession.

MR. CARLETON: But they have to pay taxes.

MR. NICKERSON: I will write a letter acknowledging this one from Mr. Fuller. In it I will tell him the matter was discussed, that we have talked with these three people, and he can feel assured no arbitrary action will be taken. Each case will be dealt with according to the individual situation.

MR. JOSEPH: Ownership of each to be defined in . . .

MR. NICKERSON: I will submit a draft. We won't say anything about the letter addressed to Mr. Strange. But that will be answered in a week or so.

Item 6. Conservation Education Projects

MR. NICKERSON: I will introduce the subject by saying we have had a discussion in the Advisory Commission, Mr. Brooks, of what seems to us the basic conflict of use as applied in the National Seashore between conservation and recreation. Mr. Hartzog, for example, in his conferences with me on the subject, would include in recreation quiet contemplation of the beauties of nature, but on the other hand I think the average person will attempt active participation.

One thing that has concerned the Advisory Commission is that we had three million visitor days last season; we have a feeling that this is going to be a relatively small figure looking into the future so that the number of people coming to visit is going to increase through the years we expect, even leaving aside the population explosion. As land comes into Federal ownership and is developed this will act as an accelerating factor. These people for the most part are urban people as distinguished from rural people, from in and around great northeast cities.

We are told there are some fifty million people living within a day's drive of here; some of us have the feeling that the conflict was brought out particularly by the difference of the purpose of the National Seashore as defined in the Act which was to leave it permanently in its present state with minor adjustment and the purpose of recreational area categories in which seashores have been put. Udall says outdoor recreation, etc., is compatible with the recreational mission. This conflict is probably in our judgment going to intensify and the pressure for intensive recreational use in the common sense of the word "recreation" is going to be greatly intensified by the fact that the urban dweller is going to be the political power which is going to determine in the long run the use of this area and others like it because the Secretary of the Interior is going to be very sensitive to the bold pressures of the urban voter which is only natural. Some of us have come around in our thinking that the preservation of what we might call the conservative viewpoint, as it is sometimes called, rests in a large measure on creating a cadre of thinking on the part of the urban citizen which will act as a leaven in his community which will sponsor conservation.

We have discussed the possibility that at Cape Cod this might be a sort of trial run in which an attempt could be made to use or provide means of education by letters to the so-called urban dweller to acquaint him with these values. If they are not pointed out to him he might not recognize them. We feel we would like to see accomplished for the urban dweller something saying this is the Seashore and what you can do here to appreciate the nature and history values. He can see the beach and

water. He has to be educated to this; he has to do it himself. We came up with this thought that perhaps outdoor recreation or other agencies might cooperate with the Park Service in an attempt to provide the means of personal education for this urban citizen with respect to the National Seashore. One suggestion for example, and this is by no means the only one, or necessarily a good one, is that they could be provided with lecture material loaned so that they could talk to their civic group, church group about what they saw.

Perhaps I haven't explained very clearly but we are hopeful knowing of your great influence in establishing Seashores in the beginning that perhaps you might have some thoughts. I might point out that the one project which is now in the planning and development stage is a booklet; there are various approaches; someone suggested that one approach would be to have some kind of an educational program. We are groping for something an individual can do with relatively little experience, but it must be skillfully done. Perhaps some other Commission members would like to add something.

MR. JOSEPH: Mr. Brooks might like to have comments from the standpoint of our staff. Dave Dame has done a considerable amount of spade work in which you might be interested.

MR. BROOKS: The issue is extremely interesting. I would certainly be very open minded; it is an important work which should without question be done.

MR. NICKERSON: As you have seen in the few hours you have been here we are in a highly populated situation with very fragile resources, unlike most national parks.

MR. DAME: I would like to give each of you a copy of this material which we have developed entitled Cape Cod National Seashore Conservation Education Program. (Distributes memorandum). This is based on the idea that the Park Service does have the manpower during the summer to educate a large number of people. Most of our seasonal employees are teachers and graduate students who could produce slide talks and tapes.

(Mr. Dame further explained the program pointing out that slide illustrated material produced here can be loaned for use in local schools and made available to educational programs on FM and TV for a broadcast series on conservation. They could also be used as a basis for newspaper feature stories.

He described and showed "dummy" of a sales item, which for want of a better name he called an "educational souvenir"; a 6" x 9" soft covered 48 page booklet to be printed in full 6 color by the off set process, to sell for a reasonable price. Mr. Dame suggested this would be an ideal part of a prepackaged school education program which could include classroom study, visits to the Seashore museum and guided walks in the Seashore. Funds for developing such a program and printing the booklet would be needed.

MR. NICKERSON: Are you familiar with what is being done in Sturbridge and in Plymouth?

MR. DAME: Yes, I am, and I have been deeply involved in the Junior Naturalist program, and have spent four years doing this at Lake Mead.

MR. MENTZER: I have just come from the Regional Director's meeting where the subject of conservation education was on the agenda and Regional Director Garrison presented a report I had just completed on this

same thing. It is not a subject oriented to the Cape only. It is a basic policy program, important to the Secretary. We were glad to be able to distribute to you today the Conservation Year book called The Third Wave. This is a very real, inspired movement. Some people feel it is mis-named; that it is the last wave, and if we miss this there will be nothing to save in the future. A great deal of attention on the part of the Department and the Service has been given to this in the last four or five years. A great deal is going to be paid to this in the future. This movement in the Park Service is just really getting off the ground. I was pleased to hear about this program today because it is just what we are thinking about. We hope we can work out some of these programs. We think we can if we can get on the right track.You are certainly going to get all the encouragement we can offer; unfortunately our budget in this field is very limited personnel and money-wise. One of the things important here I think is that we are often compared with the Forest Service. They put out a good deal of conservation literature to the Boy Scouts and others. The enabling legislation for their Service and Park Service is quite different. They are authorized to do this; our authorization does not do it; they get budget funds; we don't. This presents great problems.

MR. NICKERSON: This problem is probably somewhat more sharpened by the recent decision that the Bureau of Outdoor Recreation is the agency through which land acquisition money is going to flow into the various agencies. The political emphasis now is upon providing outdoor recreation

adjacent or near the cities and we are near in one sense, although not immediately adjacent, and unless we can develop a strong feeling among city people that they want to preserve these things they will ultimately be destroyed.

MR. JOSEPH: I would like to say the program has some very commendable features and I will do all I can administratively. I will say regarding Mr. Brooks' visit that we feel highly honored to have him here, also Bill (Redmond) and Frank (Mentzer). We have been in touch with Mr. Brooks' organization, not a great deal, but from time to time, and one of the subjects I had in mind was that he would be able to come for this meeting particularly since he hasn't been here at the Cape. I wanted him to have a good look-see and see what we have been doing.

MRS. WILES: I think Wellfleet's contribution so far has been two and one-quarter million dollars in taxes off our books. I wonder if there is any suggestion for tax relief at Wellfleet. I think the Foundations have been influential in taking this land, and I think they should have some thought about taxes for Wellfleet and Truro. I know personally it has cost me, and I am not a person who can dip into my pocket for additional taxes because I have not been able to develop my property and I am losing revenue. I just wonder what is going to happen because not only do we have the Seashore but the Audubon Society which has 350 acres and are taking more. We haven't a single pond left in the town but what is in the Seashore, and Wellfleet is going to be up against it so far as taxes are concerned.

MR. NICKERSON: I think there is some merit to your observations.

MRS. WILES: Programs sound good but they irritate me because we are getting no consideration.

MR. NICKERSON: Our problem is what can be done; how can we preserve these values for which the National Seashore is created and how can we keep our people from destroying things that make the National Seashore. I don't think we expect from Mr. Brooks any definite reaction at the moment, but being exposed to it, thinking and considering there might be ways which could carry out its original theme. They were very active in promoting the whole idea of Seashores.

I understand your policy has been one of not participating in what happened after the seashores were established. Our hope here is that knowing your intense interest there might be a renewal of interest in whatever might be done to protect these values.

MR. BROOKS: We would certainly be open minded and one thing we would like to know is what assistance the Federal government provides and why it is necessary for private funds to supplement. Thank you again.

MR. NICKERSON: We appreciate your taking time to visit with us.

MR. JOSEPH: It was a pleasure having you here. We hope you can come again.

MR. BROOKS LEAVES AT 3:15 p.m.

MR. NICKERSON: Is there anything more to be said on conservation before we move to another project?

MR. DIEHL: Would Dave have any way to finance, and what can we do?

MR. MCNEECE: How come the Forest Service has money and the National Park Service doesn't?

MR. REDMOND: I understood Mr. Mentzer said the enabling Acts permitted this.

MR. CHILD: The Forest Service is about 100 times bigger than the Park Service.

MR. MCNEECE: Would it take some legislative action to make it possible for the National Park Service to get money for this?

MR. JOSEPH: It should be known that we do a certain amount of that through the Natural History Associations that are authorized to function, and we are authorized to function with them in the Interior Department. We do have an active association it is not a government project, it is private. We furnish them space, in this case the Association at Cape Cod is the Eastern National Parks and Monuments Association. In other areas there are others and a fine job is done by them to relieve some of the bind. The money derived goes into a fund for enlargement of their services.

MR. NICKERSON: Our function today has been to plant the seed. I think this could be implemented if they are interested, by the Park Service. This is one of the larger Foundations.

MR. MCNEECE: I still feel the National Park Service should have money for this particular thing.

MR. MENTZER: I agree with you completely. The National Park Service budget is required to have an item for publications and the Forest Service budget does not. They aren't required to say how much they are going to spend for publications. Public funds are used for free folders, requests for these funds are consistently cut when they come before the budget. In the past, it has been necessary to limit public distribution to one for each family; we have never had sufficient funds to supply each visitor with a free folder. This has resulted in the new mini-folders now being placed in some areas. A much abbreviated folder will be distributed, and what is now the free folder as you know it, will be sold. The Forest Service is not required to ask Congress through the Budget Bureau for funds for printing. Their method is that after they get the funds they allot them to each project and a percentage goes into general funds used for literature, and because they do not have to ask Congress there is no control. They can dump them anywhere. This explains why in Philadelphia the Forest Service office has a film distribution service for educational type films, they have several people employed full time; six or seven copies of each film. We struggle along with half a dozen copies and use them to the point where they are hardly usable. It all goes back to the enabling legislation.

MR. DIEHL: Can the Park Service use appropriated funds to publish things like The Third Wave?

MR. MENTZER: No. Certain funds are donated to the Secretary and used for this purpose. We have to use donated funds for all of our special publications.

MR. DIEHL: I am interested in how to finance the book that Mr. Dame described.

MR. JOSEPH: This is a matter for determination as we go along. If it is successful someone might want to publish it. If there are no other sources Eastern National Parks and Monuments might undertake to publish it.

MR. MENTZER: Eastern National Parks and Monuments Association was created by the employees of the National Park Service who recognized through their daily work that this material could not be supplied. Original contributions were by employees who put up the money; whatever is produced is sold at a reasonable profit and the money goes right back to publish more. Over a period of years this has built up to what we consider a substantial sum. Private industry would say it was "Peanuts". Many things are not extremely popular but they are things we feel need to be offered. Right now funds are very low and possibly one of our greatest benefits from Mr. Brooks would be financing, through even possibly a loan so it could be reimbursed. We are proud of the Association; I think now there are a few members who are not Service personnel, but this was a committee we originally saw the need for.

MR. NICKERSON: Any more on this subject?

MR. CHILD: I think the loan idea is a good one.

MR. MENTZER: I gave Mr. Brooks a copy today of the material that was presented at the Regional Director's conference so that he would be familiarized with the over all operation. He has this material; I am sure he will read it and he has promised to send me his comments.

MR. NICKERSON: I think we have opened the door a crack and it is up to the Park Service to take it from there.

MR. MCNEECE: I think it would be rather difficult to get Congress to let the Park Service have money for this.

MR. MENTZER: It would be very difficult; we are recommending conservation because we do sponsor conservation. This crosses all boundaries Departmental and Service, but the Park Service should not be expected to provide the leadership in conservation education. I was amazed at the great interest in this. Today the big problem is lack of leadership, it has been a real sleeper. I am sure there is going to be great emphasis on this in the future; it may be a little slow in starting but hopefully leadership will come from the Secretarys office with appropriated funds.

Item 7. Proposed Guidelines Re: Improved Property Alterations

MR. NICKERSON: We have a new tentative draft dated August 4; the last one was dated May 1.

MR. JOSEPH: I think it would be appropriate if Bill (Redmond) would feel free to comment on this. As we mentioned last time this is the outgrowth of much study and discussion. He has been very helpful in bringing it together in a form that might be used.

MR. REDMOND: At the meeting in June we presented a draft to the Committee and there were certain questions raised with respect to the language used in it. We considered the changes that were discussed at that meeting. The first one I think had to do with the definition of a detached one-family dwelling. In the present draft under Section II "Definitions",we have changed that definition to read as follows:

"Detached one-family dwelling - A structure, ordinarily thought of as a house, usually consisting of a central living, dining, and cooking area with adjacent sleeping quarters so that the occupants live as a single housekeeping unit."

The objection before was that we had mentioned bathrooms. We have omitted that, and I feel that the terminology "as a single housekeeping unit" is probably more commonly used in zoning regulations than the phrasing we used before. We have also added a definition of a cottage colony which we did not have before; I am open to suggestions on that, it now reads as follows:

"Cottage Colony - A group of detached structures traditionally used as guest houses and rented to casual visitors forming a part of a colony centered around an improved property."

MR. MCNEECE: In other words a cottage colony which simply had an office building would not qualify.

MR. REDMOND: That would be considered as a commercial enterprise. As I understand it, there are residences here which have a group of several cottages around them which are rented out to transient occupants.

MR. JOSEPH: This is correct, and it is clear in the records of the Commission that dwellings which had cottages around them for rent which were built before 1959 and that were rented out in conjunction with the dwelling, also built before 1959, would be considered improved property. The Commission recommended it and the Secretary approved.

MR. REDMOND: We have taken care of that in Section III in Paragraph 3 part of which reads:

"... However, guest houses included in a cottage colony which were constructed prior to September 1, 1959 are consistent with the definition of improved property as that term is used in the Act and Regulations..."

I believe that was the consensus. We would not feel anything else would be an acceptable structure that anyone should be permitted to construct on their property. We made a few minor changes in phrasing regarding alterations because it was pointed out at the last meeting we were a little preemptory. In the former draft we had a separate paragraph regarding the right to enter upon the property for purposes of inspection. We have consolidated that in the present draft in Paragraph 2 in Section III under Application for Permit which reads:

"...In addition, the permit should provide that authorized representatives of the zoning authority or the Seashore shall have the right to enter upon the property at reasonable times for purposes of inspection..."

MRS. WILES: Was that anytime, or during the building? If it was for during the building I should think you should say so.

MR. REDMOND: We will make that "during the period of construction."

In the former draft we said in Paragraph 5 under Section III:

"No moving, alteration, or enlargement of existing one-family residential dwellings or accessory structures shall be permitted if such would afford less than a 50-foot setback from all streets measured at a right angle with the street line, etc."

We have changed that to say, in what is now Paragraph 4 under Section

III:

"The zoning standards prohibit moving, alteration, or enlargement of existing one-family residential dwellings or accessory structures if such would afford less than a 50-foot setback from all streets measured at a right angle with the street line, etc."

In the former draft we said in Paragraph 6 under Section III:

"No construction of accessory structures shall be permitted if such would afford less than a 50-foot setback from all streets measured at a right angle with the street line, etc."

In this draft we have changed that to say in what is now Paragraph 5

under Section III:

"Similarly, construction of accessory structures is prohibited if such would afford less than a 50-foot setback from all streets measured at a right angle with the street line, etc."

These I think we pointed out before were mandatory as far as the Standards are concerned. To allow a person to move so that he would cut down his setback and to do that by a variance would be one where suspension of condemnation would be revoked. In Section IV - VARIANCES AND EXCEPTIONS, we have given a good deal of thought to the changes proposed at the last meeting of the Commission. In Paragraph 2 the suggestion was made that if a one-family residential dwelling which qualifies as "improved property" is destroyed or damaged beyond repair by fire, windstorm or other causes beyond the control of the owner, that

the owner may apply for a "permit" to reconstruct the dwelling instead of a "variance or exception."

We have considered this at length both in the light of the Cape Cod Act and the decisions of the Massachusetts Courts and we all felt that while there would be no objection to the reconstruction of a residence which had been destroyed it would be necessary to consider it as a variance or exception.

MR. DIEHL: Could Vevers rebuild that shack?

MR. NICKERSON: No. It has to be improved property.

MR. NICKERSON: Could a permit be denied?

MR. JOSEPH: There is no intention of denying, but to go through the town zoning authority.

MR. NICKERSON: He wouldn't have any inherent right to rebuild if it burned?

MR. REDMOND: No. It is my conclusion that those who drew up the Cape Cod Act and the standards indicate that the use or the presence of dwellings in a recreation area was intended to be a permitted use but a non-conforming use. I think that is the only conclusion we reach after examining the Act, Legislative Hearings, etc. Frequently under decisions of the Courts the terminating of non-conforming use is not considered a basis for reconstruction; in this case we do have an indication in the Standards that repairs and alterations are to be permitted and I think there is at least an indication of a trend of decisions in Massachusetts that reconstruction of fire damaged buildings

even though they were non-conforming under zoning laws is permitted, so for this reason we felt it had to be handled by a variance or exception where damaged beyond repair.

MR. NICKERSON: If the chimney is left standing I can rebuild house--if not, I can't? This is being a little petty.

MR. REDMOND: I appreciate the situation. I feel this is something we would have to leave to the zoning authority.

MRS. WILES: I think "variance or exception" should be taken out because you have places where you can't hardly see any of the old building. It is discriminating against the poor guy who loses his building through no fault of his own.

MR. NICKERSON: Your point is that a person who has a fire is discriminated against?

MR. MCNEECE: Our zoning permits reconstruction if destroyed by fire or other Act of God, and I would be inclined to doubt any court would overrule. Why cannot the same permission be written into these particular regulations?

MR. REDMOND: Do you permit reconstruction of a building from the ground up on a different location?

MR. MCNEECE: It seems to me owners should have that right and it should not be a matter of whether some Board should say whether he may or may not.

MR. REDMOND: It should be a provision that only houses built before 1959 are entitled to this protection. The point that bothered me was if the presence of dwellings privately owned within a National Seashore is

a conforming use then what justification is there for Congress denying someone with unoccupied land building a house on it.

MR. CHASE: What holds here now, the town zoning bylaws that were accepted by the Department or rules and regulations made now by the Park Service?

MR. REDMOND: The references in the zoning bylaws - I haven't examined all of them - looked at Truro and Wellfleet and Eastham - all of them refer to existing buildings. This appears in all of them that I have read.

MR. MCNEECE: Those apply to the Seashore District.

To the part of the bylaws which describe permitted use for residence and business purposes were they not also subjected to screening by the Department of the Interior? Those sections of the bylaw - for example I refer to situations stating non-conforming buildings may be rebuilt if destroyed by fire. That was approved by the Attorney General and yet under your ruling the owner of that building would not have that right without it being sent to the Board of Appeals, making it a variance or exception. On the one hand was our zoning ordinance approved as it was written before we adopted the Seashore action?

MR. REDMOND: I don't think the approval was given to any but the District.

MR. NICKERSON: Let's look at the human values; you and I have been neighbors for a lifetime; there are hundreds of others like us; your house burns to the ground. I can continue to live, sell, give, but you are forever barred from living there. You are saying it is at the discretion of the approving agency. It isn't an inherent right.

MR. REDMOND: I am frank to say that this is a difficult question. I read the other day that someone said that this is my final decision and

therefore I won't give you any reason for it. We will put in the word "permit" and not put in "variance or exception."

MR. JOSEPH: I think this is important. Too often the permission has been construed that they come to the Park Service for a permit.

MR. NICKERSON: I would like to see it so worded that if my home is within the Seashore boundary that I could continue to live there and not be denied it because it burned. I would like it to be a right.

MR. JOSEPH: Perhaps there is power to establish that right under the Act, but a permit must be obtained from the town. The town will have its procedures as to whether they do it through the Planning Board or the Selectmen or the Board of Appeals. If permit in this case is meant permit by the town, then I can see merit in changing it to permit.

MR. REDMOND: I think interpretation of the zoning bylaws enacted by the town is for the town zoning authority and not for us. There are some sections of the Act which I have felt would subject their action to review. One is the definition of "improved property" and the other is in Section 5 (d) which reads:

"If any improved property with respect to which the Secretary's authority to acquire by condemnation has been suspended by reason of the adoption and approval, in accordance with the foregoing provisions of this section, of a zoning bylaw applicable to such property . . .

(1) is made the subject of a variance under or an exception to such bylaw, which variance or exception fails to conform or is in any manner opposed to or inconsistent with any applicable standard contained in the regulations issued pursuant to this section and in effect at the time of the passage of such bylaw, or

(2) is property upon or with respect to which there occurs any use, commencing after the date of the publication by the Secretary of such regulations, which fails to conform or is in any manner opposed to or inconsistent with any applicable standard contained in such regulations (but no use which is in conformity with the provisions of such bylaw

shall be held to fail to conform or be opposed to or inconsistent with any such standard), the Secretary may, at any time and in his discretion, terminate the suspension of his authority to acquire such improved property by condemnation: Provided, however, That the Secretary may agree with the owner or owners of such property to refrain from the exercise of the said authority during such time and upon such terms and conditions as the Secretary may deem to be in the best interests of the development and preservation of the seashore."

I think this is something where judgment might be made by the Department on action taken by the zoning authority.

MR. NICKERSON: Take a pure and simple case of a dwelling which in all respects burns; my thought is that the owner should be allowed reconstruction on the same location without having to be subject to any other Departmental jurisdiction besides a building permit. Change Section 2 to read "permit to reconstruct." This in the case of fire, windstorm, etc., no change in the use. Why should the fact of a fire put me in a position where I would be at the mercy of an executive agency?

MR. MCNEECE: This should not provide you with an opportunity to get ten rooms instead of five.

MR. NICKERSON: The important thing is the use to which it is being put, not the size. I suggested at the last meeting at which this was discussed that the following language be used:

"so long as the site is used as improved property as defined in the Act of Congress (Public Law 87-126 Sec. 4(d) and is in conformance with a town zoning bylaw, as provided in Sec. 5 (a) of said Act which has been approved by the Secretary of the Interior, the Secretary's authority to acquire the property by condemnation is suspended as provided in Sec. 4 (b)(2).

"The determination should be based upon the manner in which the property is used, and changes in the structure itself may be permitted but not in its functional use as a single family private dwelling."

My thinking is still much the same; the important thing is the use to which it is to be put. What is the difference if it is ten rooms or five, so long as I don't change the use?

MR. MCNEECE: On the other hand, if you have a non-conforming business in a residential area, then you should not have the right to put up a restaurant twice the size.

MR. REDMOND: I think this is a rather delicate situation. We are going very close to usurping zoning authority in saying this.

MR. NICKERSON: The zoning bylaw of the town is what governs.

MR. REDMOND: Except to say if there was complete reconstruction the letter of the law, which says that improved property is that which was constructed prior to 1959; if it were a variance and you were given assurance on the spot then no one could come in later with another interpretation.

MR. NICKERSON: These people who came in today were not so concerned about the shack that was burned as about theirs being permanent. You have the feeling that if your house burns down you have to go hat in hand and ask permission to have it reconstructed.

MR. REDMOND: I know I am pretty academic about the Bill; I believe if we treated it as a variance as a supplement we could issue a certificate of suspension of condemnation. If you treat it as merely a situation calling for a permit at some future time someone could come along and say that house wasn't constructed in 1959 and is therefore not an improved property.

MR. NICKERSON: I think the fundamental thing is that if a home burns the owner has the same right as before.

MR. REDMOND: We will put in "permit" rather than "variance or exception."

MR. NICKERSON: Whatever words that will guarantee that as a right he can rebuild rather than as a temporary arrangement.

MR. REDMOND: We also had the suggestion that we reconsider the case of a person becoming dissatisfied with his house and wants to tear it down. I feel that this has to be treated as a variance; I think we would be doing violence to the Act if we let owners tear down good houses which qualify as improved property and build another. We would close our eyes to the fact in this case that the house was not there in 1959. Section 3 reads as follows:

"Replacement or reconstruction of a one-family residential dwelling for any other reason shall terminate the status of the property as improved property and subject the property to acquisition by condemnation: Provided, however, that the Seashore may agree with the owner or owners of such property to refrain from the exercise of said authroity during such time and upon such terms and conditions as the Seashore may deem to be in the best interests of the development and preservation of the Seashore."

The complicating factor here apparently is that the zoning authorities felt that if someone came to them to build a house, even upon land that has had no house on it that they are bound to grant this permit. If they did adopt provision it was a non-conforming use.

MR. DIEHL: I could start to build a house. I can build it there. There is nothing in the law that says I can't get a building permit and start. Subject to condemnation only.

MR. REDMOND: I think if the towns in drafting the bylaws could have been convinced this was a non-conforming use they might have left it out. I realize it says permitted use in construction of a dwelling.

MR. NICKERSON: There was another situation - a house no longer inhabitated because of neglect; the owner wishes to put it back into habitable condition.

MR. REDMOND: I would think other causes beyond control of the owner could be construed as obsolescence. That would be beyond the control of the owner, but I didn't want to state that in here. I don't know who is going to make that judgment.

MR. NICKERSON: I don't think that bridge needs to be crossed.

MR. CHILD: In the case of Malcolm Preston - he bought a house in the Seashore and he wants to tear it down and build a whole new house. This would take care of that.

MR. REDMOND: We would not deny him the right to do it, but it would be a variance. He will be more or less brought under the same situation as a person with unimproved property. As we are saying here; I have seen his house, it is so new that I questioned whether it could have been built there before 1959 - but our position would be that if he tears it down and constructs a new one it would not be improved property under the Act and would be subject to condemnation.

MR. NICKERSON: If it is condemned he has to be compensated.

MR. REDMOND: He could come to the Superintendent and make an agreement.

MR. JOSEPH: The only thing we have to go on is the legislative report at the time the legislation was enacted. The possibility of the Secretary working up an agreement for life or twenty-five years is mentioned.

MR. NICKERSON: The purpose of the condemnation was to protect people who were established here long before the Seashore. There was no intent to permit more homes to be built.

MR. JOSEPH: I would feel in the case of a house being taken down and reconstructed that it would have to go through the variance procedure; the taking down and reconstruction process might subject the property to condemnation except for any agreement which might be made for life or twenty-five year occupancy. It seems to me that this type of reconstruction is so far removed from the intent of the Act that any other procedure might subject the property to condemnation.

MRS. WILES: I can't see why they should quibble over fixing up an old house when this needs to be done due to circumstances beyond the control of the owner. It seems to me it would be in the interest of beautification to build a better house.

MR. REDMOND: The Chairman used the word "neglect" and that is not beyond the control of the owner.

MR. NICKERSON: I am thinking of rain coming in through the roof.

MR. REDMOND: If it is conforming and abandoned it can't be revised.

MR. NICKERSON: I am not so sure about that.

MR. CHILD: The house we are talking about is a contemporary house. He would like to build a nicer and a larger house.

MR. NICKERSON: We are all concerned with the rights of the individual to use his property without asking permission.

MR. DIEHL: The intent is to allow homes to remain there forever, or to sell to the National Park Service or to another owner. I think we should allow the six hundred or so of them to remain, improved if possible, in order to get more taxes for the towns. I would go on record as guaranteeing these six hundred the right to remain forever.

MR. NICKERSON: They will become so valuable that I don't think there will be much of a problem.

MR. JOSEPH: Wouldn't you say that it is a subject for a variance if a person takes a house down just to make it different, no matter what the cost involved?

MR. NICKERSON: My feeling is that is alright so long as the house is being used for the original purpose.

MR. REDMOND: As long as the act says that an improved property "shall mean a detached, one-family dwelling the construction of which was begun before September 1, 1959" I am stuck with it. I can't interpret it any other way.

MR. JOSEPH: Why should a person object to going through the variance procedure? Wouldn't the town zoning authorities want something to say about such a situation?

MR. NICKERSON: Well, Mr. Redmond, I don't know whether we have been a help or a hinderance.

MR. REDMOND: I have spent a good deal of time thinking about this. It is an intriguing question and a very complex one. I never heard of Dr. Preston's case until after the last meeting. At that time the point came up then and I have hoped to have a written opinion. I am in effect telling you what my opinion is right now.

Item 4. Progress Report - Cape Cod National Seashore

MR. JOSEPH:

We were extremely pleased to have Ernest Brooks and Frank Mentzer with us today and to have our Park Naturalist Dave Dame furnish summary information regarding conservation education programs.

We are always glad to have Mr. Redmond here to give us legal advice on the proposed Guidelines for alterations etc., to improved properties and other matters, including the Great Beach Cottage Owners Association.

Fee collections were instituted on July 15. Administrative Officer Jamison reported receipts to be $31,087 as of August 1. Further improvements are expected in the traffic turn around areas as soon as construction work becomes feasible after the summer season.

Two Job Corpsmen were arraigned on July 21 for alleged assault and rape; at the hearing held on August 1 at Provincetown they were bound over to the Grand Jury which convenes the first Monday in October.

Following a review in the field on last Saturday with a representative of the Concessions Management Branch of the Washington Office and staff personnel, we have forwarded a proposed prospectus to Washington for further action.regarding the Highland Golf Course.

A contract for the construction of the Province Lands Visitor Center was awarded to Earl W. Wall of South Westport, Massachusetts. Mr. Wall's bid was $196,430. The bid of $144,890 of Masaschi and Son Building Corporation of Sandwich, Mass. was not accepted.

We have requested bids for the construction of an amphitheatre in the vicinity of the Provincetown Visitor Center; these will be opened on August 15.

The plan for the South Wellfleet beach and swimming area has been received and Engineer Bowman is reviewing it; this indicates further progress on the proposed beach.

Work continues on the Doane Road Reconstruction and Bicycle Trail in Eastham which is approximately 70% complete at this time.

15% of the work has been done on the contract to construct an entrance road and parking area at the proposed Maritime Museum at the former Nauset Coast Guard Station.

The Province Lands Bicycle Trail contract is 98% complete. Studies are being made regarding raising a submerged area of the trail.

The 1968 fiscal year construction program includes a proposed parking area for 50 cars in the Snail Road area at Provincetown. Studies are being made by Design and Construction office personnel as to the most appropriate way and place in which to provide additional parking near the dunes area.

Various operations in the Seashore are being conducted in what seems to be a successful manner during a very hectic season. The Ranger Division reports 830,776 visits during July; a total of 1,692,124 to date this calendar year. 815 oversand vehicle permits have been issued to August 1. The traffic counters using a 3.2 multiplier indicate for

the month of July 51,784 visitors to Coast Guard Beach; 26,172 to Nauset Light Beach; 21,527 to Race Point Beach; 38,615 to Herring Cove Beach and 11,012 to Head of the Meadow Beach.

In line with our attempt to be helpful to all staff members to try to find assignments to suit them, we were advised by the Job Corps Coordinator in Washington that effective August 2, Wellfleet Center Director Edling is detailed as Acting Regional Coordinator, National Capital Region, and Carroll W. Ogle, Corpsman Supervisor, from a Job Corps Center in the Great Smokies is being detailed and is here as acting Center Director Wellfleet, effective the same date.

In the interest of brevity, due to the important agenda today, this constitutes the progress report for July.

We have also received a request from the owner of the Governor Prence Motor Lodge in Truro for an extension of his Suspension of Condemnation Certificate beyond December 31, 1968. We are prepared to extend this, with your advice for a period of five years expiring December 31, 1973.

MR. CARLETON: I move we extend this for five years.

The Motion was seconded by Mr. Diehl and affirmatively VOTED.

MRS. WILES: The road going into Northeast Pond has been macadamed. If you aren't going to allow that man in there to rebuild his house I don't see why he should build a road. I couldn't develop my property in there.

MR. JOSEPH: Is this road on your property?

MRS. WILES: No it is on what was DeGeoffry's.

MR. JOSEPH: I will ask the Chief Park Ranger to please check this out.

MR. THOMPSON: Six (6) options were obtained totaling twenty-six (26) acres, more or less, covering six tracts included on the priority list of tracts to be acquired with the remaining funds. Negotiations continued with owners of other tracts on this same list. The lands optioned to date comprise eight thousand eight hundred and seventy (8,870) acres. This figure reflects a reduction by one hundred and twenty-one (121) acres of lands formerly optioned which have now been put into condemnation. Data covering fifteen (15) tracts comprising "owners unknown" or properties having title difficulties was forwarded recommending condemnation. One tract containing fifty-one (51) acres where agreement as to value could not be reached went forward recommending condemnation and declaration of taking. The sixteen (16) closings in July comprised twenty-two (22) tracts totaling one hundred and two (102) acres. To date there have been five hundred and fifty-two (552) closings, giving the Government title to six thousand six hundred and thirty-two (6,632) acres, more or less.

Of the fourteen (14) appraisal reports received, thirteen (13) were updating reports and one (1) covered a new tract.

For final title opinions, seventy-seven (77) assemblies covering ninety-one (91) tracts were submitted to Washington, and one hundred and thirty-eight (138) final title opinions were received from the U.S. Attorney General.

MR. NICKERSON: Is the land in United States ownership in a fairly cohesive unit?

MR. THOMPSON: Not entirely, but the best we can do under the circumstances.

MR. NICKERSON: If Congress didn't appropriate funds would it be possible to reduce the area?

MR. JOSEPH: We have endeavored to purchase land in blocks.

MR. NICKERSON: If Congress isn't going to appropriate the money what is going to become of it?

Item 8. Agenda Items and Date for Next Meeting

MR. NICKERSON: We voted to hold the September meeting on the 8th, but we could go to Monomoy on the 15th; start in the morning and get back late in the afternoon.

MR. JOSEPH: Would you schedule an Agenda?

MR. NICKERSON: Not unless there is something urgent. We would hold an informal meeting. There was to be an item on today's Agenda regarding beach buggy use but because of the pressure of other subjects we postponed it until later; not September, but perhaps October or November. It was determined that the September meeting should be held on the 15th with a trip to Monomy scheduled for this. No further business appearing the meeting adjourned at 4:30 p.m.

(For Administrative Use Only)

M I N U T E S

Sixty-first Meeting

CAPE COD NATIONAL SEASHORE ADVISORY COMMISSION

AT

North Beach, Chatham, Massachusetts

September 15, 1967

The sixty-first meeting of the Cape Cod National Seashore Advisory Commission was an informal meeting held on September 15, 1967 at the Chatham North Beach camp of Tom Haley following a morning field trip and lunch at the camp. The following members were present:

MEMBERS	Recommended by
Joshua A. Nickerson, Chairman	Barnstable County
Leo E. Diehl, Vice Chairman	Secretary of the Interior
Robert A. McNeece, Secretary	Town of Chatham
John W. Carleton	Town of Truro
Ralph A. Chase	Town of Eastham
Esther Wiles	Town of Wellfleet

OTHERS: National Park Service, U. S. Department of Interior

Lemuel A. Garrison	Regional Director, Northeast Region
Stanley C. Joseph	Superintendent, Cape Cod National Seashore
Norton M. Bean	Chief Park Ranger, CCNS
Richard N. Strange	North District Park Ranger, CCNS
Lyndell Baldwin	Secretary, CCNS

ALSO: Richard E. Griffith, Regional Director, USDI Fish & Wildlife Service, Bureau of Sport Fisheries and Wildlife.

Absent Commission members were: Josiah H. Child (Commonwealth of Massachusetts), Arthur Finlay (Town of Orleans), Nathan Malchman (Town of Provincetown), and Robert L. Yasi (Commonwealth of Massachusetts).

The meeting was called to order at approximately 2 p.m. by Chairman Nickerson.

The Commission members examined plans of the proposed South Wellfleet beach presented by Mr. Garrison who explained many details of the plan including methods whereby the beach traffic would be separated from the administrative traffic.

MR. GARRISON: We like the way the separation has been handled at the headquarters area, and we would be very much interested in your advice regarding these plans. You will notice our alternative route whereby we go around the town owned lands; this adds $25,000 to the cost of the facility.

MRS. WILES: There is no need to go around if they will dicker with the town. Then they would have $25,000 more to put in at the beach. If they will make a land exchange with the town there is no reason they can't have the land.

MR. JOSEPH: We haven't made much progress over the past two years in this. The town has decided they would not handle it unless all the town owned land is considered.

MRS. WILES: I think a one package deal would be better.

MR. GARRISON: All we would like to have is a right of way.

MRS. WILES: We are not interested in that because it would weaken our bargaining position.

MR. JOSEPH: It might be possible to work out a trade for another piece of land provided the town is willing.

MRS. WILES: I think the town would be if we could get something to benefit the town.

MR. GARRISON: We are willing to explore any possibility because we hate to put the extra money into this; it would require a six inch water line at $4.50 a foot plus 1,000 feet of road at $70,000 a mile.

MR. CHASE: What is the difference about in connection with an exchange of town owned land?

MR. JOSEPH: The town wants certain beach and other properties. We need to have a good over all plan for proposed developments before firm decisions are made.

MRS. WILES: The town land committee might be willing to consider something. We wanted to wait and make a package deal because we felt it was better, but I do think in view of the fact this might hold up the beach and make it more costly the town would be willing to dicker if they could get land in exchange that they want to improve their location on Great Pond for one, to increase their parking; they also would like a beach on Newcomb Hollow; we have a big piece of land at White Crest and maybe they would be willing to exchange it for land at Newcomb Hollow. They might like land at the end of Cardinal's property. If we could make one exchange right now I think we might be able to do it.

MR. JOSEPH: Could they do it without going to a special town meeting?

MRS. WILES: No. They would have to advertise for three weeks. You folks requested us not to do anything this summer because you were so tied up.

MR. JOSEPH: We agreed to get together in October.

MR. NICKERSON: It might work if you could work out the timing.

MRS. WILES: We won't give an easement.

MR. NICKERSON: An easement is not going to make the land any less valuable.

MR. JOSEPH: An easement until we swap would be a solution.

MRS. WILES: Swap and be done with it.

MR. GARRISON: We are anxious to give our Design Office the ok for the final drawings.

MRS. WILES: You can have your answer in October when the Park and town land committee have a meeting.

MR. CHASE: Has this caused much delay so far?

MR. JOSEPH: Yes.

MR. CHASE: How much more can we afford?

MR. GARRISON: I have requested these plans be ready by December 1.

MR. CHASE: Is $25,000 too much to have the beach ready on time? There have been two meetings already and the Park knows roughly what the town wants.

MR. GARRISON: Let's have another meeting between the two and see what can be worked out.

(Mr. Garrison explained more details about the various designs for parking areas.)

MR. NICKERSON: I think it could be improved upon by making it look less like a super-market parking lot.

MR. JOSEPH: This plan for parking is something like the arrangement at Head of the Meadow· it comes close to it. The planting in between would probably have to be beach grass at this time.

MR. GARRISON: We haven't been able to get satisfactory answers about great expanses of black asphalt. Perhaps we would find a partial solution if we were able to use color in asphalt.

MR. CHASE: I am still thinking about when the beach will be ready for use.

MR. JOSEPH: We have shaken them up and we are aiming for next year.

MR. NICKERSON: One criticism of the facilities at the beach at Race Point and Herring Cove is that the parking lot is too close to the beach.

MR. JOSEPH: The one big complaint this past summer was that at Nauset Light visitors who came to look at the ocean had to pay fees.

MRS. WILES: There are other places they can go to look at the ocean. They can go to Highland Light and look.

MR. MCNEECE: Are we supposed to take some action? I am thinking we should take a vote today, especially if Mr. Garrison has come all the way up here for this purpose, to get some vote or determination of how we feel so that the work can proceed in time to have the facility for next summer. I think we should vote now recommending that the National Seashore Advisory Commission recommend that the National Park Service proceed further with the plans as presented today. If in the meantime within a reasonable length of time they

can make some arrangement with Wellfleet to avoid this alternate route fine, but as far as the South Wellfleet beach is concerned we recommend that they proceed with the plan as they have presented it, using with our approval the alternate route unless something can be worked out with the town of Wellfleet. The purpose is to have a road and parking lot ready for next season. They have money for the road and parking lot but not for a bathhouse.

MRS. WILES: There is no reason why Wellfleet can't get together with the Park regarding this.

MR. NICKERSON: We are trying to say we want the Park Service to have the road and parking ready next summer and to take all necessary steps to accomplish it by this plan or an alternate if it can be worked out with the town of Wellfleet.

MR. JOSEPH: Everybody wants to get the beach in for next season.

MRS. WILES: Wellfleet had the idea the land exchange should be a one package deal and I think that is the best planning, but I think they would make an exception if they could get something in return. Wellfleet is just as anxious as the Park is and is not trying to hold up anything.

MR. NICKERSON: Shouldn't we recommend to the National Park Service that they take such steps as may be necessary to achieve completion of a road and parking lot according to the general plan presented today so that it will be ready for next season?

MR. JOSEPH: Everybody is working that way.

MR. NICKERSON: If you could save $25,000 on the road you would have that money for use for other things.

MR. JOSEPH: Comfort stations are planned at Hemenway and Nauset Light Beach. They would be deferred. The money is available for this construction in Eastham it would be a matter of exchanging it and using it in Wellfleet.

MR. MCNEECE: I was working into my motion approval of this particular plan. I simply stated in my motion that we recommend they proceed according to the plan presented or any alteration that was worked out through the town of Wellfleet, to get across that we have approved this particular plan.

A vote was taken which was unanimously in favor of Mr. McNeece's Motion.

MRS. WILES: We all agree that the reason we have not had a meeting is because Mr. Joseph and all of us have been tied up.

MR. NICKERSON: The Park should very definitely work this out with the town itself, it is to their mutual interest.

MR. GARRISON: This should go to contract by January 1.

MR. JOSEPH: Successful completion on schedule is going to depend on not only timing now but bids and a satisfactory push by the contractor and all concerned.

MR. GARRISON: We are most anxious to get this facility built.

MRS. WILES: I think Wellfleet is too.

MR. GARRISON: Besides which, we are operating solely on facilities built by someone else, except at Head of the Meadow. One aspect you should comment on is the present range road, because once this is done we want to put in the same contract the obliteration of this road, and change this to a walking trail in the Thoreau concept.

MR. CHASE: How about the use at that area this year?

MR. JOSEPH: I wish I had my file with me on this. We found the use there extremely heavy, presumably not only because of the good waves but because fee collections at other beaches encouraged the free use of this area. I have a report on my desk indicating maximum use by over four hundred cars by actual count, with pictures showing a veritable mess, tearing up the beach grass along the roadside.

MR. CHASE: I think it would be a good idea to take that road out of there.

MR. MCNEECE: When do you stop collecting fees?

MR. JOSEPH: Labor Day at 5 p.m.

MR. GARRISON: To achieve maximum benefits and create a new experience we want to do the two things together.

MR. NICKERSON: There was some talk about putting feeder routes to the range road.

MR. JOSEPH: Foot paths were discussed, and we did talk about spur roads immediately to over-looks. The only thing I can recall in connection with the range road itself was a trail system.

MR. NICKERSON: I was thinking of being able to have parking areas

for over-looks along the tcur road.

MR. GARRISON: We have to have pull off parking areas and trail heads with feeder paths going both ways. We have long been convinced of the idea of pull-outs.

MR. JOSEPH: The problem is that turn-outs would be for those who want to walk and not access for surfing or bathing. Now it is used without control.

MR. MCNEECE: There is one thing I would like to bring up. Congressman Keith has filed a Bill to establish a study of marine resources in particular in the Georges Bank area. This would be a study over a two year period during which there could be no exploration or development of oil resources. We have gone on record as favoring the preservation of this area. I wonder if you want to go on record in this instance as favoring this Bill and writing to Senators Kennedy and Brooke asking that they file a Bill on the Senate side. Would this be proper for discussion and action?

MR. NICKERSON: This is a study?

MR. MCNEECE: Yes, during the two year period there would be no development. Pending completion if study reveals it would be for the best interest of the country, legislation would be filed such as has been filed for the National Seashore, to set aside this area as a marine sanctuary.

MR. NICKERSON: Would this interfere an any way with the Park Service?

MR. GARRISON: I am not familiar with the Bill.

MR. JOSEPH: Clearly off the coast?

MR. MCNEECE: Yes.

MR. JOSEPH: This is certainly not unprecedented within the Service. From the standpoint of biological stability and the overall ecology approach, all phases of marine fish life development, jurisdiction, etc., it certainly is not out of bounds in my opinion with what has been done in many other areas.

MR. DIEHL: I think if we are investing twenty million dollars to preserve it in its natural state certainly we should take a position otherwise we should not have invested this money.

MR. MCNEECE: (Reads pertinent parts of the Bill)

MR. GARRISON: I can see so objection on the part of the Park Service.

MR. JOSEPH: In general it seems fine. I gather from reading in the newspaper there has not been very rapid action on the Bill.

MR. MCNEECE: It was only filed in the latter part of July.

MR. DIEHL: I am interested in having Senators Kennedy and Brooke join.

MR. NICKERSON: You have heard the motion - A vote was taken which was affirmative.

MR. JOSEPH: I expect that you would all like to hear from Dick Griffith.

MR. GRIFFITH: I am certainly pleased to join you here today, you are all more or less familiar with the developments regarding Monomoy up

to the present time including the hearings held at Chatham. There will be a recommendation to Congress that will result in Monomoy continuing to be administered as it is now. The present type of public use would be continued. Classification of Monomoy Island as a Wilderness Area would serve to assure continuation of the area pretty much as a wild area. That is what it is now. The Wilderness classification would preclude any enlargement of vehicle use. Vehicle use in the long haul would be terminated, probably at some future date, and the area used as in the historic past as a walking ground, available for surf fishing, picnicing and day use. We have recognized, in speaking of surf fishing, that we have a variety of fishermen, some of whom like moonlight fishing and some who like sunlight fishing; a fisherman would be welcome to walk out on the beach whenever he wished to do so. We have had questions as to whether this area would be available for camping. It has not been and will not be available in the usual sense where you pitch a tent, bring in blankets and stake out for a week or so. Monomoy does not lend itself to intensive public use. It has a high value for recreation and is a real asset to Massachusetts and my Bureau has valued its preservation for feeding and resting grounds for migrating birds. This has increased since 1937 and looking up and down the coast recognizing what has been happening to many places, Monomoy as a wild life refuge is going to be far more important in the years ahead than in the past. As for the Bill filed by Congressman Keith, I think it is very important that a group such

as this recognize the resource value and importance of these off shore areas.

MRS. WILES: I saw in the paper where now they are coming out with easements on property. I think I saw that was being done in Chatham. When this park was proposed I proposed this instead of the property being taken from the people. I was told it was impractical and didn't work. I think it would save a lot of money too. I see now it is being very effective in Chatham. I tried to get them to do it here expecially where people had property and would give easements. They just informed me it was not practical.

MR. MCNEECE: I suppose it depends on the area involved. In Chatham we are dealing with small holdings. Whether or not it would be a practical thing to do in 26,000 acres I am not sure.

MR. GARRISON: This thing is in a tremendous state of flux. A lot of things are being considered that a few years ago wouldn't have been considered. The matter of easements and of buying and selling back with a lease-back under certain conditions is now a very definite part of our consideration. While some of the arrangements have bugs in them they are better than nothing, and we can live with the bugs.

MR. CHASE: How about the wildlife on Monomoy, deer for instance`

MR. GRIFFITH: Last Fall the best I could do was a count of twenty-five; they do swim back and forth to the mainland; they perhaps have reached a stabilized state. I don't think it is going to build up to a problem.

If they do become a problem it would require some action. There could be hunting; there is no restriction in the Wilderness Act against hunting. Action could be taken in accordance with the public interest and sound park practice for managing wildlife populations. There are deer, muskrat, and a little bit of everything. It is a small wildlife area and has pretty much a natural balance and a comparatively stable population. Several different birds, including ducks and shore birds rest there. It is primarily a resting place and feeding place for migratory wild fowl.

MR. DIEHL: What is the difference between a wild area and a wildlife sanctuary.

MR. GRIFFITH: The Wilderness Act provides that on any lands administered by the Department there cannot be a change in the general use and administration under the description in the Act. It would have to go to Congress to be changed. In the case of Monomoy we can do everything we have done there before and continue to maintain and protect the area providing for resident manager service as needed, police the area, keep beach buggies and campers off.

MR. NICKERSON: How about the next meeting? Shall we try to go to Monomoy Island?

MR. DIEHL: I think we should and have Dick Griffith join us if he is free. We have enjoyed having Dick and Lon with us today. If we can't go to Monomoy for our next meeting shall we look up something about beach buggies and camping? We could leave the agenda

flexible. I think the Secretary should write Tom Haley and thank him for the use of his camp today, it certainly is very pleasant here.

MR. GARRISON: I think we can get someone from Fire Island to come up and tell us how they operate down there if you would like that.

MR. NICKERSON: Perhaps they could provide some advice to assist in preparing regulations for next year.

MR. GARRISON: I think Branges could come up and in the light of their experience he might be able to provide some help.

MR. NICKERSON: I am disappointed in the weather today. If it were a pleasant day you would see anywhere from fifty to seventy-five campers right out here on this beach.

MR. MCNEECE: I think it would be a good idea to have somebody from Fire Island come up here.

MR. NICKERSON: I anticipate that the subject of beach buggies and camping will be on the agenda for several meetings.

No further business appearing the meeting adjourned at 3:15 p.m.

(For Administrative Use Only)

M I N U T E S

Sixty-second Meeting

CAPE COD NATIONAL SEASHORE ADVISORY COMMISSION

AT

Monomoy Island, Chatham, Massachusetts

October 6, 1967

The sixty-second meeting of the Cape Cod National Seashore Advisory Commission was an informal meeting held on October 10, 1967 on Monomoy Island, Chatham, Massachusetts following a morning field trip of the Island through the courtesy of Mr. Wallace Bailey of the Wellfleet Bay Sanctuary of the Massachusetts Audubon Society. The following members were present:

MEMBERS	Recommended by
Joshua A. Nickerson, Chairman	Barnstable County
Leo E. Diehl, Vice Chairman	Secretary of the Interior
Robert A. McNeece, Secretary	Town of Chatham
John W. Carleton	Town of Truro
Ralph A. Chase	Town of Eastham
Esther Wiles	Town of Wellfleet

OTHERS — National Park Service, U. S. Department of Interior

Stanley C. Joseph	Superintendent, Cape Cod National Seashore
Lyndell Baldwin	Secretary " " " "

Absent Commission Members were: Josiah H. Child (Commonwealth of Massachusetts), Arthur Finlay (Town of Orleans), Nathan Malchman (Town of Provincetown), and Robert L. Yasi (Commonwealth of Massachusetts).

The meeting was called to order at approximately 1:15 p.m. by

Chairman Nickerson.

MR. JOSEPH: I would like to read a letter which I received yesterday from Mr. John D. Bell, a member of the Provincetown Finance Committee. The letter is dated October 4, 1967 and reads as follows:

"Dear Mr. Joseph: The Finance and Advisory Committees of Truro and Provincetown, to be joined by that of Wellfleet, request that they be given an opportunity to meet with the Seashore Advisory Commission on December 1.

"It is planned that a committee of nine attend your meeting. It will be composed of the Chairman of the Board of Selectmen, the Chairman of the Finance Committee, and the Chief of Police, from each of the three towns.

"We hope to explore the questions of shared police protection in the National Seashore, and of community water-resource development, also within the National Seashore.

"On November 29 the Finance Committees of the three towns will meet again to draft the agenda. As coordinator, I hope to be able to tell them that such a meeting will be possible."

You were there Jack (Carleton), perhaps you could supply a few more details.

MR. CARLETON: They would like to discuss those two items; the question of school came up at the same time, but does this have anything to do with the National Park Service?

MR. JOSEPH: We cooperate with the school officials wanting to know the number of children of Federal employees so the figure can be included in the application to the State for State aid.

MR. CARLETON: This was tossed around quite a bit, but you know what they would like: more cooperation for policing. This can be done better if the Park and the three towns cooperate on the police operation.

MR. JOSEPH: We do cooperate; there are certain things regarding this subject which ought to be discussed by this group and maybe we can have more cooperation.

MRS. WILES: Why couldn't we discuss this at the next meeting?

MR. JOSEPH: We could. I want to get someone to address these problems. It is a subject which should be explained more fully and one which is certainly not thoroughly understood by the residents in the Seashore towns. The jurisdiction originally set up is proprietory and limited to the government land. Some of the townspeople who think the Seashore brings everybody to Cape Cod would like us to extend our police protection to adjacent properties. In addition we do not have jurisdiction over certain types of crimes, these are still up to the local police. I think we can all benefit by a discussion of this situation.

MR. CHASE: Is there any objection in your policy to having some of your men sworn in on the town police force where they could work on this privately owned property in the town?

MR. JOSEPH: They already are, they do work with the town police, but if you get further into that I will need your recommendation so we can swell the manpower. We don't have the ability to put in the time and money now. This is not small business. I don't know what kind of money we will get even if we go to Congress.

MR. CARLETON: They are talking now about putting the Court up in Orleans; that means that when anyone is arrested in Provincetown the arresting officer has to go to Orleans to swear his case in.

MR. JOSEPH: I would say if somebody wanted the best in police enforcement in the National Seashore, the jurisdictional limits should be removed. Whether or not this is feasible I don't know. The State determines what jurisdiction exists. We have jurisdiction over only misdemeanors; not crimes. This is something few people understand or are willing to accept. We have never been organized for any more than enforcement of the Secretary's regulations.

MRS. WILES: We should see them all.

MR. JOSEPH: We can get a copy to you on a circulation basis. They are printed up in a little book.

MRS. WILES: Can't you get them and send them out to each one of us so that we can study them?

MR. JOSEPH: Regarding the subject of water resources, as you know we are ~~already~~ all ready to talk with Provincetown. I have also been asked to start something, or try to get action on a solid waste disposal project, with particular reference to a certain town north of you Jack. There is enough comment about it that it needs some attention. With your help and the help of State officials maybe there is a source of funds that will permit better operation in a sanitory land fill that is really that.

MR. CHASE: Regarding water resources, Eastham has put in test wells on privately owned land within the Seashore and found a good source of water there.

MR. JOSEPH: We will be glad to make correspondence available to the

meeting regarding water resources in Provincetown and vicinity.

MR. CARLETON: Does this Commission have any objection to this meeting?

MR. NICKERSON: No, but we are not sure about the date.

MR. CARLETON: They want to have the meeting early in December, so that if anything concrete came about as a result they could get it in the Warrant for the Annual Town Meeting.

MR. JOSEPH: Shall we write and tell them ok, subject to the date'

MR. NICKERSON: Let's set the dates now for our November and December meetings.

MR. CARLETON: They would like to have the meeting as early in December as possible.

(A discussion followed during which it was decided to hold the November meeting on the 17th of the month and the December meeting on the 1st of the month.)

MR. JOSEPH: What about Eastham, should they be in on this too, especially regarding police protection'

MR. CHASE: They didn't meet with these people.

MR. JOSEPH: As an individual working with you, and with a limited staff, I would like to get these things done all at once. If we do it for three towns, why not do it for four?

MR. CHASE: Jack (Carleton) if it is ok with your group, why not invite Eastham?

MR. CARLETON: How about Orleans and Chatham?

MR. JOSEPH: At present these two towns do not have much land involved and there seem to be no immediate problems.

MR. CARLETON: We didn't, in discussing it, think that Eastham had the problem the lower Cape towns did. We would be glad to get in touch with Eastham. I will take care of it.

MR. JOSEPH: We have received an application for a Suspension of Condemnation Certificate for Commercial or Industrial property from Messrs. Colliano and Hastings for the Jobi Shop, inasmuch as we are out of lands money now or soon will be and cannot purchase the property.

MRS. WILES: I see no reason why they shouldn't continue.

MR. JOSEPH: They have been written that the permit for the Highland House operation comes to a close at the end of 1969. I am getting letters saying that we are going to tear down the Highland House and that that is too bad. I bring this to your attention because we are only closing that operation subject to Master Plan Review regarding tearing the building down. There has been talk that these people think they have perpetual rights there.

MR. NICKERSON: When would the permit for the Jobi Shop expire.

MR. JOSEPH: If you tie it in with the other permits of this type it would expire in December 1968 and be renewed for five years.

MR. NICKERSON: So they all come up again for review in 1973.

MR. MCNEECE: If there is no reason why they shouldn't continue and no one feel differently, I move that we grant this Certificate as you have outlined.

The Motion was seconded by Mrs. Wiles and affirmatively VOTED.

MR. JOSEPH: We have a similar application for Jack's Esso Station. There has been a question of land ownership here; presumably they have cleared that up, but he wants also to expand his facility. I think it is reasonable, but I told him I would present it to you folks. He wants to improve his entrance so his customers won't go flying by without seeing the Station. I don't know what he plans or what the Station will look like when it is finished, but I will read you his letter which is dated October 3, 1967:

"Pursuant to our conversation of October 2, 1967 we are requesting an extension of our certificate of suspension of condemnation and will list the intended improvements or changes concerning our tract of land in Truro, Massachusetts, Tract 14T3516.

"We plan on extending the frontage of our gas station about sixty-five (65) feet southerly from the end of the existing driveway. We also plan to incorporate the existing station as it stands and add one island of pumps - usually three - and install an underground tank for approximately four thousand (4,000) gallon capacity - which was approved by the Town of Truro about 1964."

MR. NICKERSON: There is no objection to it is there, as far as this Commission is concerned?

MR. MCNEECE: I move that the Certificate be granted and the extension as outlined above.

The Motion was seconded by Mr. Chase and affirmatively VOTED.

MR. JOSEPH: I would also like to read you a letter which I have received from Mr. Frank H. Thompson of the Clam Bar restaurant in Truro, this letter is dated September 18, 1967. (Reads)

"Thank you for your letter of July 25th.

"First of all, let me thank you for making it possible for us to put the addition on the Truro Clam Bar.

"The big ugly sign on the top of the building is very annoying to us as well as to you and the officials of the town, and I would like to say that we would take it down. However, as you know, the State owns 150' from the center of the road toward our building, and we have no control over this. I'd like to sit down with you later this winter and discuss the possibility of putting another sign--one that could be seen but one to which nobody could object. Possibly you could prevail upon the Commonwealth to give us permission to erect an appropriate and attractive sign, closer to the road, within our boundaries. Under these conditions we would all be happy to see the sign come down from the roof.

"We will attempt to get some grass and flowers planted around the building and, if our budget allows, we may possibly do some more hot top work in the parking area.

"Thank you for your cooperation and for your help in our problems."

I haven't been successful in getting official ~~files~~ SIGNS on the highway right of way. I think we should have the best possible liaison with the Department of Public Works. If I am in Boston sometime I think Leo (Diehl) and I should go in and tell them some of our problems.

MR. CARLETON: Would this sign be on State property so that the town wouldn't have any control over it?

MR. DIEHL: The State wouldn't allow a private sign.

MR. JOSEPH: Is your suggestion that he would have to go to the town of Truro?

MR. CARLETON: The Governor Prence made their sign much smaller.

MR. NICKERSON: Wouldn't it be better for him to relocate it?

MR. CARLETON: It is too big, he has to leave it there.

MR. MCNEECE: In the process of doing this you could suggest he make it smaller.

MR. JOSEPH: Perhaps we will try and incorporate this in our letter back to Mr. Thompson. In line with dealing with the State, we were asked to meet in Orleans on September 12 with representatives of the towns of Orleans and Eastham and Commissioner Ribbs of the Massachusetts Department of Public Works to discuss future highway plans in this area. They have knowledge of tentative plans and expect to look this over from the air. I suggested we try to plan on a regional basis rather than piecemeal.

MR. NICKERSON: Their planning is for Eastham and Orleans, not the whole Cape?

MR. JOSEPH: The planning should be on a larger basis from our point of view if it is going to be successful and I may need your help. I told Commissioner Ribbs that I would like to call on him and I might ask one or two of you to go with me.

MR. NICKERSON: I think the present approach to highway planning is primarily from where the double barrel ends to Provincetown.

MR. JOSEPH: This is true, except they have some alternatives.

MRS. WILES: They did plan when they made the first taking in Wellfleet for a four lane highway; they took land enough for this.

MR. JOSEPH: They might want to double barrel in several places, so I told them the sooner we know what they want and can study this more information can be obtained.

MR. NICKERSON: In the present right of way from Orleans to the Visitor Center they might like to do some major things.

MR. JOSEPH: This all happened fairly recently. If you want to see more of the correspondence I will pass copies around. On September 29 we met with the Wellfleet Lands Committee with reference to the issue discussed at the last Commission meeting regarding some exchange of land, so that the road to the proposed South Wellfleet beach could go through town land. The town made an informal proposal which they will confirm later; their first priority is Newcomb Hollow, for land there they would be willing to exchange land in the Camp Wellfleet area.

MR. NICKERSON: How much land does the town have at Newcomb Hollow now?

MRS. WILES: Two acres.

MR. JOSEPH: The total acreage the town committee recommended for exchange in the Camp Wellfleet area was about 74.22 acres. The way they put it they would trade that for the number of acres of equivalent value in the Newcomb Hollow area. I don't have any appraised value.

MR. NICKERSON: This would put Newcomb Hollow in the category of a major town beach. Now it is a very limited size.

MRS. WILES: It is too small. After our last meeting I immediately called a meeting of the Land Exchange Committee and they said they were willing to cooperate. We own 49 acres of land-courted land in Camp Wellfleet and 23 more acres where the title is clouded. You have

already put a building on a part of this land. The Land Committee thought it would be much better to have the town clear out all of its land at Camp Wellfleet for land of equal value at Newcomb Hollow. We own about 1,000 feet of ocean frontage in Camp Wellfleet and at Newcombs we have a very small frontage, only about 200 feet. What we wanted was the same ocean frontage which we have at Camp Wellfleet and land of equal value in exchange. We said that as soon as we could present the town with any tangible fair value list we would ask for a special town meeting and give this proposition to the town but we have had no cooperation, they have not discussed that. I don't want to hear Wellfleet blamed for what it is not to blame for. I did what I said I would, I had the meeting, I don't see as we got anywhere. Cahoon Hollow is dear to Wellfleet people, they have always loved it and feel it should be kept for Wellfleet and her taxpayers and if we had land enough we could let the public in. We have only about 200 feet there but we have 1,000 feet at Camp Wellfleet. We feel we would like the same footage, it wouldn't be an awful lot. If they want to give us more we would be glad to have it. I think the Wellfleet people should have an inkling of what is going on. I have been thinking of putting something in the newspapers about this because people are thinking that Wellfleet is dragging her feet.

MR. NICKERSON: You have 70 acres at Camp Wellfleet with roughly 1,000 feet of ocean frontage and you want a piece of land at Newcomb Hollow of equal value with equivalent ocean frontage? What is wrong

with that

MR. JOSEPH: I discussed it as well as I could with our officials and I think Mrs. Wiles discussed it with the Regional Director before the Committee meeting. It seemed desirable to have a very good review with the town as well as the Seashore master plan regarding the development of this very fine outer beach; this was considered high priority with the Government.

MRS. WILES: In other words the Government would dictate to the town of Wellfleet just what they could do. We wouldn't put in a bathhouse but we do feel there should be toilet facilities; they should be there now, but unless we get more land we can't do this.

MR. NICKERSON: It is a town owned beach but inadequate.

MRS. WILES: This exchange would save the Government $25,000, which I know the Government doesn't consider as a saving; they wouldn't think anything of saving $25,000, but it would clear up the title on the land their building is situated on.

MR. NICKERSON: What building

MR. JOSEPH: Part of the maintenance building, north of our headquarters.

MRS. WILES: That would clear up the title. Wellfleet wouldn't have to be considered. I think this is important when you have a building on land you don't own and you refuse to negotiate. You pressured us and we have been pressured to go ahead and make this exchange so that you could go through our land. We are doing our best and getting nowhere.

MR. JOSEPH: I didn't say we would pressure you.

MRS. WILES: You said within two months, and this needed immediate action. We met immediately and got nowhere. Mr. Garrison had the nerve to tell me that if we gave you a right of way over the land it would be more valuable. Can any of you explain to me why it would be more valuable.

MR. NICKERSON: I think the crucial thing is that Wellfleet has title to 1,000 feet of ocean frontage, right in the middle of the development.

MR.MCNEECE: Is the principal concern the manner in which the town of Wellfleet will develop this beach.

MR. JOSEPH: I don't think it was stated in so many words.

MR. MCNEECE: Could anyone be more specific on what objections there are to this exchange?

MR. JOSEPH: I will do my best, at the outset when the plan was first undertaken, Newcomb Hollow shows as a Federal beach; someone felt there should be quite a chain of beaches out there. Money was appropriated and careful planning went into it. The thinking of the people planning then was the assumption that the town property would be developed as part of the Federal beach system and called for careful delineation of the beach and parking of 200 cars. Congress appropriated $60,000 for this. We know the problem on capacities. This is simply good planning; we are on record, 200 cars. I would say that if such a plan as proposed by the town were to go into effect I would like to see a similar plan from the town. I promised the Committee, based upon

what I heard, that I would report to the Regional Director exactly what we discussed and what the town had to offer, and right this minute they are typing a letter which sets forth this proposal. The town indicated they could confirm this in writing and I will expect a letter in due time. I set forth the town's point of view, I think I have put it up fairly. As an Advisory Commission I will say to you if you want to put this in the newspaper, I didn't intend to advertise it, that they asked me what my recommendation would be and I said from everything I heard, my discussion with my officials, town officials, etc., I would recommend the road would be placed around the town land. This has already been done, but this would reinforce it; the fellows are out there now putting in stakes for the road in order to get some of the planning done and get it into contract this winter. The town is making an offer for seventy-odd acres and it would have advantages. I have listed these and also the disadvantages, and various factors we talked about, and I said please look at it carefully and let me know if there is any chance ...

MRS. WILES: You could recommend; we did make the offer and I think the town would go along with it; we can only recommend. When you were proposing at Newcomb Hollow a 200 car parking area you weren't contemplating any beach at Camp Wellfleet. Now you are proposing a 500 car parking lot there. If you only had Newcomb Hollow with 200 this would be totally inadequate. You said yourself there were 400 cars parked at Camp Wellfleet in one day. You would have found that at Newcomb

you would have had to put in a 1,000 car parking lot because you weren't contemplating any beach at Camp Wellfleet.

MR. NICKERSON: Isn't the real issue here conflict in the idea of developing Newcomb Hollow further as a town beach and developing the South Wellfleet beach

MRS. WILES: They are not trying to get an exchange of land. Wellfleet is not going to give up Newcomb Hollow.

MR. NICKERSON: Let's assume that it is going to continue as a town beach. It is going to be an inadequate beach if the town continues it as it is now. If it increases either by Federal or town land you would have better utilization than with the limited land there now unless the Government intends to put in a beach there.

MR. JOSEPH: We have no such intention. Over all aside from town and Federal jurisdiction we would always be faced with the idea of reasonable distribution of bathing facilities to take care of the demand.

MR. NICKERSON: Newcomb Hollow will be another major beach. You have one at Head of the Meadow and one at South Wellfleet.

MRS. WILES: The South Wellfleet beach wouldn't take care of the Wellfleet people.

MR. NICKERSON: Whoever owns it, Newcomb Hollow would be a substantial beach.

MR. MCNEECE: What does the town want there?

MRS. WILES: I think it would depend on finances. We do want a beach to take care of Wellfleet residents.

MR. MCNEECE: We have had to make some adjustment in our planning from the light of experience.

MR. JOSEPH: I am saying that somebody planned it for 200. If someone is going to plan it for 500, it would be nice to see the plan. I do think this balance of the best uses between the town and the Federal operations is very good.

MR. NICKERSON: Isn't it a desirable advantage to have that land on the ocean front

MRS. WILES: I should think with the land in question that has a building on it that they would feel they owed Wellfleet something.

MR. DIEHL: I don't see a wide difference here. Mr. Joseph pointed out the advantages and disadvantages of what they proposed ...

MRS. WILES: I asked if he was going to recommend the land exchange and he said: "No."

MR. JOSEPH: I said that I would recommend that the road go around the town owned land.

MR. NICKERSON: You have two problems. One to get the beach going and then exchange of certain ocean front lands for other ocean front lands.

MRS. WILES: We are all ready to go to the town with our recommendation but we can't because we can't get a proposition from the Government.

MR. NICKERSON: What should we do today

MR. JOSEPH: From the standpoint of time alone, we have done as well as anyone can.

MRS. WILES: I would like to make a motion that the Advisory

Commission go on record as approving an exchange of land.

MR. DIEHL: Do we have a written proposal?

MRS. WILES: I have the letter, but I haven't sent it. They are in such a rush but they are holding it up.

MR. DIEHL: Let's have it on the Agenda for our next meeting.

MR. CARLETON: We have already approved building the road around the town land.

MRS. WILES: It was approved pending negotiations. That was on a conditional basis.

MR. JOSEPH: It was left that we would try to work out the exchange; lacking that we would go around the town land.

MRS. WILES: You haven't done anything.

MR. NICKERSON: Let's decide what we should do today.

MR. CHASE: At the next meeting come and tell us what you want to do. Bring somebody with authority.

MRS. WILES: I am the Chairman of the Lands Exchange Committee.

MR. CHASE: Have you authority to act for the town?

MRS. WILES: Only insofar as we would ask the town to act on this at a town meeting.

MR. CHASE: It seems to me there is a conflict of interest here, with you on the Town Lands Committee and on the Advisory Commission also. I would like to see a Selectman, or all of the Selectmen here.

MR. DIEHL: The more beaches there are available the better I like it.

MR. NICKERSON: Certainly the town owned land between the Marconi

Station and the South Wellfleet beach does not lend itself to development.

MR. MCNEECE: I suggest that at the next meeting we invite the Selectmen and have the proposal by the town and a copy of your letter where you report the advantages and disadvantages. Could we have that in advance to study?

MR. JOSEPH: In order to request this exchange I am left in the exposed position of writing it up to the best of my knowledge of what I heard. I hope what they write comes near to this. I did what the Committee asked and I wrote it up.

MRS. WILES: Can we have a copy of this letter?

MR. JOSEPH: You may when I send copies of this and the letter from the town to the Regional Director and to the members of this Commission prior to the next meeting.

MR. NICKERSON: At the next meeting we will invite the Wellfleet Selectmen and Mrs. Wiles, who is in a dual capacity.

No further business appearing the meeting adjourned at approximately 2:45 p.m.

Forwarded to Mr McNeece
from Cape Cod Nat' Seashore
for Info.
By: Supt. Joseph Date: 12/1

(For Administrative Use Only)

M I N U T E S

Sixty-third Meeting

CAPE COD NATIONAL SEASHORE ADVISORY COMMISSION

AT

Headquarters, Cape Cod National Seashore

November 17, 1967

AGENDA

CAPE COD NATIONAL SEASHORE ADVISORY COMMISSION

Sixty-third Meeting

November 17, 1967

Item	Subject
1.	Adoption of Agenda
2.	Approval of Minutes of Previous Meeting
3.	Communications Received by the Commission
4.	Progress Report - Cape Cod National Seashore
5.	3:00 p.m. - Proposed Land Exchange with the Town of Wellfleet
6.	Commercial Operations Application from Horton's Park for Extension of Certificate of Suspension of Condemnation for Commercial and Industrial Property
7.	Preliminary Discussion Regarding Beach Buggies
8.	Information Regarding Water Resources and Police Protection
9.	Agenda Items and Date for Next Meeting
10.	New Business

The sixty-third meeting of the Cape Cod National Seashore Advisory Commission was held on November 17, 1967 at the Administration Building in the Marconi Station Area, South Wellfleet, Massachusetts, with the following members present:

MEMBERS	Recommended by
Joshua A. Nickerson, Chairman	Barnstable County
Leo E. Diehl, Vice Chairman	Secretary of the Interior
Robert A. McNeece, Secretary	Town of Chatham
John W. Carleton	Town of Truro
Ralph A. Chase	Town of Eastham
Josiah H. Child	Commonwealth of Massachusetts
Esther Wiles	Town of Wellfleet

OTHERS: National Park Service, U.S. Department of Interior

Stanley C. Joseph	Superintendent, Cape Cod National Seashore
George H. Thompson	Land Acquisition Officer, CCNS
Norton M. Bean	Chief Park Ranger, CCNS
James H. Bowman	Civil Engineer, CCNS
Richard N. Strange	North District Ranger, CCNS
Marjorie S. Burling	Supervisory Clerk, CCNS

ALSO: Mr. Arthur Brownell, Director of Conservation Services, Department of Natural Resources, Commonwealth of Massachusetts; Henry Atwood and Douglas C. Park, Selectmen of the Town of Wellfleet.

Absent Commission members were: Arthur Finlay (Town of Orleans), Nathan Malchman (Town of Provincetown) and Robert L. Yasi (Commonwealth of Massachusetts).

MR. NICKERSON: I think the time has come to call the meeting to order. We have Mr. Arthur Brownell with us today, sitting in for Mr. Yasi. What is your official title, Mr. Brownell?

MR. BROWNELL: I am the Director of Conservation Services within the Department of Natural Resources, and I am working primarily with cities and towns on conservation matters, or anything else that the Commissioner likes to pass on to our little Division.

MR. NICKERSON: I am sorry that Mr. Yasi is not here, but I think he has a good idea in sending personnel like you, particularly where it involves State and Federal park operation. We are happy to have you with us.

Item 1. Adoption of Agenda

MR. NICKERSON: Do you want to adopt the Agenda? (It was moved and seconded and affirmatively VOTED to approve the Agenda as printed.)

Item 2. Approval of Minutes of Previous Meetings

MR. NICKERSON: There are three minutes which have to be approved. Are there any errors or omissions to modify? Are there any in the sixtieth meeting (August)? How about the sixty-first? At this meeting we were privileged to have Regional Director Griffith, USDI Fish and Wildlife Services, Bureau of Sport Fisheries and Wildlife, present.

MRS. WILES: On page 11, about half-way down, in the sixty-second meeting's minutes it should read "Newcomb Hollow" instead of Cahoon.

MR. NICKERSON: Are there any others? Are we ready to approve the minutes of the three meetings? (It was moved, seconded, and VOTED that the minutes of the three meetings be approved with the change mentioned above.)

Item 3. Communications

MR. NICKERSON: Are there any communications? I have a letter here from Norman Cook, Executive Secretary of Cape Cod Chamber of Commerce. I would like to read it to you: (Reads)

"Dear Josh: I enclose copies of pages from a report written by Arthur D. Little in connection with the proposed establishment of the Redwood National Park in Humboldt County in California.

"In reading the report I was quite surprised to learn that there has been a policy established of payment to local communities in lieu of taxes where a National Park is created.

"You will notice on page 113 that this policy was established in 1938 at the Olympic National Park and has also been established at Grand Teton National Park on page 114.

"It is my memory that you and I and others pressed this point when the Cape Cod National Seashore was being established and that we were told by Federal officials that this could not be done. It occurs to me that perhaps the proper place to raise this question again would be in the Advisory Committee, and perhaps ask our Senators and Representative Keith to file legislation to put us on an equal footing with other communities."

You had a copy of this letter, didn't you, Stan? I have discussed this briefly with Congressman Hastings Keith, and these cases Mr. Cook mentioned are very special situations.

MR. JOSEPH: When the Cape Cod bill was argued and debated by Congress, there was nothing in the final bill to affect payment in lieu of taxes directly, but another general effort has been made since.

MRS. WILES: I think eventually they are going to have to do this, as Wellfleet cannot afford to lose any more.

MR. NICKERSON: It also depends in some measure as to what extent the Park Services goes in taking over private industries and put them back as concessions. I had a conversation with Hastings Keith, as he had

a letter regarding two motels and the golf course which would deprive towns of taxes. He intends to turn this letter over to the Park Service. We generally feel that private enterprise engaged within the Seashore should continue to go on as before.

MRS. WILES: We were told there would be no concessions given when the Park was established. I have the letter. This Park is not large enough for it. I was assured there would be no concessions.

MR. NICKERSON: What is the status of the golf course prospectus? Has it been issued?

MR. JOSEPH: The prospectus is almost ready to go out.

MR. NICKERSON: With the exception of the two motels, then there are no other concessions?

MR. MCNEECE: Are you going to answer Mr. Cook?

MRS. WILES: I do not see why we should not favor having something back from the Federal Government. I think in principle we could approve Mr. Cook's letter. I so move. The Federal Government should give the towns some reimbursement in lieu of taxes.

MR. NICKERSON: In the case of Grand Teton National Park, in lieu of taxes, provisions were clearly defined as follows:

> "For the fiscal year in which the land has been or may be acquired and nine years thereafter, there shall be paid an amount equal to the full amount of annual taxes last assessed and levied on the land together with any improvements thereon, by public taxing units of such counties, less any amount, to be determined by the Secretary of the Interior, which may have been paid on account of taxes for any period falling within such fiscal year."

That was a 10-year proposition. In the case of the Olympic National Park, a provision of the Act allowed a 25% rebate of tax funds to the affected counties, apportioned to the total area of each county in the park.

MR. CHILD: In both cases they are talking about counties.

MR. DIEHL: What about Redwood? Mr. Cook mentioned this in his letter regarding the Arthur D. Little report. There must be something involved.

MR. NICKERSON: If we tried to get something else tacked on to the present bill it might be misleading. The only thing we have asked for is to up the $16,000,000 originally asked for to $28,000,000.

MR. DIEHL: What did Mr. Keith say?

MR. CARLETON: Here is his answer. (He hands a copy of an editorial to Mr. Nickerson, who reads it to the members.)

MRS. WILES: I think we could go on record saying that something should be done, particularly now since the Seashore is going to charge $7 for using property that has been taken out of the town, and the town should have a part of that. I do not see why the Federal Government should collect rents and furnish these people housing.

MR. NICKERSON: How do the other members of the Commission feel about this?

MR. DIEHL: I feel so far as the two motels are concerned which are operating and paying the National Park an annual rental that they should pay local taxes where the town does collect a property tax. I was in favor of having the golf course turned over to the Town of Truro so that they would get some reimbursement. If it is privately operated, then it is taken off the tax rolls.

MRS. WILES: Wellfleet has lost so much, not only to the National Park but to Audubon as well.

MR. MCNEECE: It seems to me that they have established some sort of a precedent at Grand Teton where such a bite was taken out. While this was a county, and Wellfleet is a town, they do seem somewhat similar.

MR. NICKERSON: How would it be if we passed a resolution to the effect where the Park acquires a commercial property or rental unit that there should be a payment in lieu of taxes, as distinguished from unoccupied land.

MRS. WILES: The town keeps the roads plowed in wintertime.

MR. NICKERSON: Fire and police protection would be the two major services provided by a town. There would be school, health services, so far as residential property is concerned. These would not, however, apply to motels.

MR. DIEHL: Have you run into this in other Parks?

MR. JOSEPH: This is the exception to the rule. I think the proposal you are considering applies to reimbursement for property acquired and then rented back.

MRS. WILES: Half a loaf is better than none.

MR. NICKERSON: How do you want to word this resolution? How about "The Advisory Commission goes on record as favoring Government reimbursement in lieu of taxes on property rented or concessions given by the Government?"

MR. DIEHL: Change that to all properties, owned and rented back to private persons by the Park.

MR. JOSEPH: I think Mrs. Wiles is referring to houses such as the one where I live, in that I pay rent back to the Government. I think, however, you should understand that the rent goes into maintenance and upkeep.

MRS. WILES: Even if it is property owned by the Park and rented back, this is producing income for the National Park Service.

MR. DIEHL: Who are you going to send this letter to?

MR. NICKERSON: I think we should send this to Mr. Keith and Mr. Udall.

MR. JOSEPH: Would you be willing to endorse a general proposal for reducing the impact of Federal areas on a broad basis rather than singling out a particular area? My feeling is that doing this, because of the very special nature of the two parks mentioned, might result in more effective legislation.

MR. DIEHL: How many other Parks are affected like ours?

MR. NICKERSON: Do you want to tie this on to our original motion?

MRS. WILES: I think we should let it stand as is.

MR. NICKERSON: This is the way it now reads: "We urge reimbursement in lieu of taxes on property owned by the Park and rented back, thus producing income for the National Park Service." Are you ready for the question? (It is so moved, seconded and VOTED.) Copies of this letter should be sent to the two Senators, Congressman Keith, Mr. Udall, the Director and the Regional Director.

Are there any more communications?

Item 4. Progress Report - Cape Cod National Seashore

MR. NICKERSON: The next item on the Agenda is the Progress Report, but would it not be more practical to show the members of the Commission the map showing the parcels of land owned by the Seashore within the Marconi Area?

MR. JOSEPH: Mr. Thompson has the maps and information with him.

MR. NICKERSON: What land is owned by the Town of Wellfleet within the National Seashore boundaries?

(Mr. Thompson and Mr. Bowman put map up on blackboard.)

C.A. you show us where we are now on that map?

MR. THOMPSON: The areas in black, according to the study made by the Town Lands Committee, are town owned lands. (Mr. Thompson proceeded to point out various lots owned by the town on the map.)

MRS. WILES: We decided to make a second map and put on all the town owned lands within the Town of Wellfleet, as well as inside the Park.

MR. NICKERSON: Does the Town of Wellfleet own all that large piece of land? (Indicating Wellfleet-by-the Sea and Whitecrest areas)

MR. THOMPSON: No. There is quite a lot of private property involved there.

MR. DIEHL: Shouldn't the boundary include Great Island?

MR. NICKERSON: Now the question today has to do with two parcels in the former Camp Wellfleet area, the larger one of 49 plus, and the 15.3 and 7 acres, and a few scattered ones.

MRS. WILES: Wellfleet thought it would be better to clear up the whole matter. They wanted this 49 plus acre tract so that you wouldn't spend $25,000 to go around it. Wellfleet thought that the Park would like it this way and clean up the whole matter. We had a letter from the office stating that they were not very much interested in giving us anything at Newcomb Hollow, but they would give us land at Le Count Hollow. The town, however, is not interested in Le Count Hollow. They have enough parking space for their needs there, and there are too many cottages there. You are going to have a large beach here in South Wellfleet, and we couldn't see that we needed a large beach so near. Newcomb Hollow would serve the

Town of Wellfleet, and the South Wellfleet beach planned by the Park would take care of the South Wellfleet people. We would like as much frontage at Newcomb Hollow as you could give us. We thought the Park would be glad to clean up the whole thing instead of two or three different parcels.

MR. CHILD: You want 1000 feet to the north and some area back at Newcomb Hollow?

MRS. WILES: We would like to put in toilet facilities and as much additional parking space as possible.

MR. JOSEPH: We recognize this, and we would like to help the Town in this beach, and we also have the alternative to suggest of enlarging Le Count Hollow, offering it to the public so that you could gain more revenue.

MRS. WILES: We told you the town was not interested when you showed Le Count Hollow as a walking beach, more for pedestrians than for cars to park.

MR. NICKERSON: It appears that we are going to have a major public beach at South Wellfleet, and if this program goes through the way the town suggests you would have a major beach at South Wellfleet run by the Federal Government, and a major public beach at the north run by Wellfleet, similar to the one run by Orleans.

MRS. WILES: The whole committee is not interested in enlarging Le Count Hollow.

MR. MCNEECE: Is there another beach at Maguires?

MRS. WILES: Le Count Hollow and Maguires are really one and the same.

MR. CHILD: The Gut was mentioned as a possible exchange.

MRS. WILES: I think if the Park would help us to get what we want, then we would be willing to help you get what you want at the Gut. I think there can be better cooperation between the Park and the town this way.

MR. CHILD: Isn't the Gut something the Park wishes to acquire?

MR. JOSEPH: Definitely.

MRS. WILES: As soon as this has been dealt with, I as Chairman will be glad to bring up the Gut.

MR. NICKERSON: If agreeable, let us leave this and go to the Progress Report.

MR. JOSEPH: Under current construction status, the Province Lands Visitor Center is approximately 17% complete. The project is ready for pouring the first floor concrete slab as soon as structual steel is received on or about November 20. The Province Lands Amphitheatre is also approximately 17% complete, with the forming of wing walls underway. The steel for this structure has been received. The Province Lands Bicycle Trails are approximately 99% complete. M. F. Roach Co. is working on this project on behalf of the bonding company, and it is expected that completion will be by the first of December. Working drawings for the proposed South Wellfleet Beach are being designed by the Design and Construction Office in Philadelphia. The project should be ready for bid by the first of January. The Doane Road Reconstruction and Construction of Bicycle Trail in Eastham was completed on October 4. The Maritime Lifesaving Museum Access Road and parking area project was also completed on October 4.

The proposed project for construction of a 50-car parking area at Snail Road in Provincetown is now planned to be located on the flat area near U.S. Highway 6, on the Whitehead Brothers sandpit property, which isbeing acquired subject to continued operation of the sandpit until 1975. The

proposed parking area will not interfere with the sandpit operation. The location is well suited for a parking area and should help relieve congestion due to parking on the edge of the dunes on Highway 6.

A case by case study of the Great Beach Cottages was initiated by memorandum to the Chief Ranger. Upon completion of the studies during the winter and next summer and fall, recommendations will be prepared for each case for approval by the Director's Office. In the meantime, Lands and Administrative personnel have participated in discussions originating with respect to the Beede property which is scheduled for condemnation.

Under Day Labor projects, including road obliteration, 3500 pine seedlings have been planted along with eight acres of rye grass as part of road obliteration in Truro. These roads are located in areas to the south of South Pamet Road (former Duarte property) and on roads north of Longnook Road. This project will continue through December.

Twenty acres of American beach grass have been planted in the Province Lands along roads, bicycle trails and construction sites, as part of the dune stabilization project, and a small amount of beach grass planting has been done at Coast Guard Beach in Eastham.

The Washington Office has prepared a revised draft of the prospectus for operation of the golf course in Truro. It is expected that it will be issued in the near future, subject to obtaining agreement with Messrs. Colliano and Hastings, on revising the Special Use Permit with respect to the putting green, first tee and water supply. Messrs. Colliano and Hastings, who operate the Jobi Shop, have been away and arrived back yesterday, so that negotiations are expected in the next week.

The proposed Master Plan Review is now scheduled for 1968, as mentioned in correspondence from the Regional Director relating to the proposed land exchange with the Town of Wellfleet.

Guidelines drafted in final form by the Regional Solicitor, together with a draft of a proposed letter to town zoning officials prepared in this office, are being forwarded to the Washington Office for review.

Invitations have been accepted by the Superintendent to meet with the Truro Neighborhood Association on November 24, and the Planning Board of the Town of Provincetown on November 28.

Following the temporary assignment of an Acting Center Director for the Wellfleet Job Corps Conservation Center, a permanent replacement has been obtained. The Center Director is Mr. Charles H. Orr, who has moved here with his family. Mr. Orr has had previous experience in Job Corps work and in teaching.

A separate Agenda has been set aside for an application for extension of Suspension of Condemnation received from Horton's Park.

A request has been received from the owners of Jack's Esso Station in Truro to exchange the amount of frontage used or taken by the Massachusetts Department of Public Works on land owned by the operators of Jack's Esso Station for an equal amount of Government land abutting south of the service station. They have suggested an alternative by having the state DPW cut a new driveway north of the service station. A careful study will be given to the proposal in order to determine the best solution in view of the topography in that area. The operators of the service station have been advised, in accordance with the Advisory Commission recommendation, that the Certificate of Suspension of Condemnation of Commercial or

Industrial Property will be issued to them through December 31, 1973, upon return of the Lands attorney after a brief absence.

The owners of Mike and Tom's Gulf Service Station in Truro have discussed their operation this morning. Letters have been previously sent to them with reference to the subject of some cleanup and landscaping of the area. A request for extension of their Certificate of Suspension of Condemnation can be expected and will be acted upon in accordance with the recommendation of the Advisory Commission.

On November 15 operators of three motels in Eastham called at the office to discuss the operation of the Salt Pond Motel. In view of all the factors concerned in connection with this motel and the very comprehensive inquiries into all phases of operation by these motel operators, it appears desirable to arrange for discussions with them and Mr. Benz, the operator of the motel, which I will endeavor to arrange in the near future.

MR. NICKERSON: When does the present lease expire?

MR. JOSEPH: It expires next year, and we will have to determine soon whether we intend to renew it. There has been no formal recommendation by the Commission on the Salt Pond Motel. I believe the procedures very definitely will call for some notice to the operator as to what the future will hold for him. It it is to be extended, a public notice has to be published in the newspapers and Federal Register.

MR. CHASE: Could I ask one question? I am wondering how the bidding would be handled.

MR. NICKERSON: What was the nature of the meeting with the operators who are concerned about the future operation of the Salt Pond Motel?

MR. JOSEPH: They seem to be concerned with the competition offered by the Salt Pond Motel during the off season, as they consider it unfair.

MR. BEAN: They felt they could offer lower rates.

MR. JOSEPH: The result was they were glad to hear about some of the problems and would be happy to meet with Mr. Benz, operator of the Salt Pond Motel, for discussion about this. Since Salt Pond Motel is within the Seashore and their advertising material says so, this is considered an advantage. Such businesses as Govenor Prence Motel may also mention location within the Seashore, but they are on private land.

(Mr. Joseph continued with his report)

It has been suggested that the matter of reappointments for the next two years be brought up with the Selectmen in attendance at the Advisory Commission meeting. The Washington Office will initiate asking formally for recommendations from each of the Boards of Selectmen, the County Commissioners of Barnstable County, and the Governor. Reappointment of the incumbents can be made, but, of course, the prerogative for the recommendations for the several positions which require action for a new two-year term is with the respective Boards of Selectmen, the County Commissioners and the Governor. In this connection, should there be any members who are not expecting to serve again, it is suggested that the comments in the following paragraph be kept in mind should they be asked for their views by nominating officers.

The Department has quite a number of citizen committees, advisory commissions, and special boards which provide advice and consultation.

An opportunity that the Department may have missed in selecting individuals for these groups is that of identifying younger people who will become the responsible leaders of tommorrow. Recruiting them for these committees - many of the appointments for which are made without compensation - is a means of educating them to future service to the country. Should there be an opportunity to do so, the participations of members who are under 35 years of age would be appreciated. It is emphasized, however, that the making of nominations is strictly a decision left to the Towns, the County, and the Commonwealth, respectively.

I hope you will understand that, as a 55-year old, I respect the advice of all those people beyond 35.

On September 30, 1967, a meeting of the Scientific Advisory Committee was held. Among other items under discussion was a proposition for an exchange of lands involving the Shank Painter Ponds. Since then, I have received a copy of a letter, dated October 31, 1967, from Dr. Loren C. Petry, Botanist, Cape Cod Museum of Natural History, to Mr. Josiah H. Child, suggesting preservation of the Shank Painter Pond area. No formal proposal has been made to the Seashore although there has been discussion in one of the newspapers, the Provincetown Advocate, dated October 15, 1967. It is, of course, thoroughly understood that the Shank Painter Pond area is outside the boundaries of Cape Cod National Seashore. It is my opinion that any action taken to our including it within the boundaries would require legislation, and that it would have to arise as a request or proposal from the Town of

Provincetown, if a boundary change or exchange of land proposal is desired by Provincetown.

MR. NICKERSON: Are there any questions or comments?

MR. CHILD: I would like to discuss land for the proposed parking area at Snail Road. What about the wind? It is a dangerous place to put a parking area, as well as a long way from the access road which goes into there.

MR. JOSEPH: The original plan was for a 50-car parking area at Snail Road. When looking it over it appeared there would have to be lots of land clearing.

MR. THOMPSON: The alternate site on the Whitehead Bros. tract in the sandpit area is shielded by a growth of trees and brush along the slope and would afford some shelter and protect cars from being sandpitted.

MR. CHILD: Are you going to prevent them from parking along the highway?

MR. JOSEPH: The location should help alleviate congestion. We have no jurisdiction over Highway 6, and this would involve joint cooperation among the State Highway officials, the Town of Provincetown, and ourselves. We have, as you know, cleaned up the littered area at Snail Road, through joint efforts of the Park Rangers and maintenance crews, the local Town men, and Massachusetts DPW men. Today Snail Road is a delightful little place.

MR. NICKERSON: Are people going to leave their cars along the highway and walk up to Snail Road?

MR. JOSEPH: I believe they will welcome the parking area.

MR. CHILD: I have been looking at the Animal Rescue League property and think this might be a better location than the one picked out.

MR. JOSEPH: It would be nice to have it located on the Animal Rescue League property but it is outside the Seashore area, and impossible to get land without special legislation.

MR. CHILD: I am talking now about State land.

MR. JOSEPH: I know of no way we can buy land outside the Seashore, and we cannot even accept it as a gift without a boundary change.

MR. NICKERSON: Were you proposing to have this ready for this summer? I was thinking of a field trip later in the year so that we can look at this area and perhaps Shank Painter Pond before anything definite is decided. Perhaps we could have a short field trip followed by a sandwich luncheon at Headquarters.

MR. CHILD: Don't you think the letter Peg Watson wrote is rather good?

MR. BEAN: A reply has been drafted to Mrs. Watson.

(Mr. Joseph reads the letter from Mrs. Watson)

"Dear Mr. Joseph: While taking a walk after the close of the season on the Truro and Provincetown dunes between the sand pit and Snail Road some suggestions occurred to me for better conservation of the dunes. These I am submitting to you for your consideration.

"What dismayed me on this walk was the many paths worn by the summer visitors in the beautiful moss and bear berry and grass that stabilize the sand. These bare tracks are now exposed to erosion and additional destruction of the fragile ground cover. All these paths lead fairly directly to the beach.

"My suggestion is that the summer visitors be invited to use the established roads on their way to the beach. This should not be a hardship since the beach seems to be their objective. Indeed by using the roads the bare footed visitors would be spared the blackberry brambles and patches of poison ivy.

"The other depressing and even alarming discovery made on this walk was the many places in hollows and even in pine groves where fires had been built and the debris of cans, paper plates and other unsightly refuse left behind. No flection on the rangers is implied since they could not possibly check all the hollows in the dunes.

"Would it perhaps help this situation to post the park regulations as issued with park stickers for beach buggies at the entrances to the dunes for pedestrians? This would, of course, involve occasional replacement as signs are destroyed by visitors. But this should not be too difficult. Surely some visitors are of good will and would comply with regulations if they knew them.

"In a release to the Advocate April 11, 1963 Superintendent Gibbs stated 'A Careful planning program will be followed for preservation of the area within the Sea Shore. Visitors will be encouraged to use existing roads, trails and beaches in such a way as to protect the fragile features.'

"Those of us who cherish the dunes trust that their conservation is still the policy of the Sea Shore. It is because I would like to cooperate in any way possible to this end that I am submitting these suggestions for your consideration."

MR. JOSEPH: I want to say that we all want to preserve the dunes. I recommend that you read Stewart Brook's column in the Cape Codder about the bicycle paths.

MR. NICKERSON: If there is an established path, most people will follow it.

MR. CHILD: The problem is to prevent their spreading out all over the dunes. This is something we should work towards.

MR. NICKERSON: We should put this down for a field trip sometime during the winter. There is no urgency, as nothing will be done for the 1968 season. Perhaps we can get to this in January.

Was there any report from Land Acquisition?

MR. THOMPSON: There were 22 options secured during the month of October, covering in excess of 500 acres. Included were the properties held in the name of the Ball Trust in Truro, Whitehead Bros. in Provincetown, and the Maskell-Chaddick property in Eastham. Condemnation assemblies are being prepared in the Washington Service Center covering tracts having defective titles and owners unknown.

The U.S. Attorney recently reached an agreement with an owner of an 80-acre tract in the former Camp Wellfleet Military Reservation just prior to its being scheduled for trial.

A seven acre tract in Camp Wellfleet held in the name of Manuel Thimas is scheduled to go to trial December 5, and assistance is being given the U.S. Attorney's Office for preparation of the trial including maps, charts and related material.

MR. CHILD: The Ball cottages won't hold up much longer. In fact, Ozzie Ball fell through one, and had to be rescued. They are in terrible shape.

MR. NICKERSON: How close are we to the $16,000,000 ceiling?

MR. THOMPSON: There is very little left--down to about $30,000 or $40,000.

(The Selectmen from Wellfleet arrive at this point)

Item 5. Land Exchange with Town of Wellfleet

MR. NICKERSON: Mr. Joseph, would you introduce our guests?

MR. JOSEPH: We are happy to have Selectmen Henry Atwood and Douglas Park with us today. There was a special town meeting last night, and they covered quite a good deal of business.

MR. NICKERSON: I think we should explain that the Advisory Commission is primarily an advisory board, but I like to think it does carry some weight. We are very glad to have you with us.

MR. JOSEPH: We sent out to the Advisory Commission members all the correspondence we have had on the subject of land exchange in Wellfleet.

MRS. WILES: We had a meeting yesterday afternoon and the letters you sent me were read to the Committee members.

MR. ATWOOD: The Town of Wellfleet has a parcel or parcels of land within the Marconi Station Area, and the town would very much like to exchange this land for land which we would like to have at Newcomb Hollow. We would like to have a bigger parking space there. We have not quite decided on acreage, but we do want to expand the parking area and keep it as a parking area for the Town of Wellfleet.

MR. NICKERSON: The two parcels you are referring to are the long, oblong parcels and some smaller scattered area, referred to in Mr. Joseph's letter.

MR. ATWOOD: We are primarily interested in land to the north of the town beach at Newcomb Hollow because of the high hill on the south. We would like equal frontage with what is planned by you at South Wellfleet. Presently there is about 200 feet at Newcomb Hollow. The town owns 1.8 acres at Newcomb Hollow. We can park about 200 cars there now, but in the summer they park on the road as far back as the police will let them. I think if we had area enough so that we could park 400 or 500 cars then we would need facilities which are needed for a public beach.

MR. NICKERSON: How much do you think you would need?

MR. ATWOOD: Probably 10 acres.

MR. NICKERSON: There are some 72 acres involved in the Marconi Site. The exchange is going to be on an equal fair market value. Would the town be interested in giving or receiving cash to take up the difference?

MR. ATWOOD: Personally I do think we would be interested.

MRS. WILES: Maybe they could give us additional parking at Great Pond instead of cash. We need more parking area there.

MR. MCNEECE: Is there any reason why they should not consider more frontage on the beach instead of limiting it to frontage equal to what we have? In other words, more frontage rather than depth. How would this affect the general character of the neighborhood? Could we give more?

MR. ATWOOD: The cottages to the South are about 1/4 mile.

MR. DIEHL: This is about 1000 feet from the Truro line, isn't it?

MR. NICKERSON: I was thinking 500 feet frontage is not very much for that number of people. What about Mr. Garrison's suggestion of Le Count Hollow?

MR. ATWOOD: I think that we would not be interested in Le Count Hollow. There is not much room for expansion. In that area of the town we do not feel it is needed.

MR. NICKERSON: How much frontage at Le Count Hollow do you have?

MR. ATWOOD: About 80 feet.

MR. NICKERSON: Could we give more frontage at Le Count Hollow?

MR. DIEHL: Is there any objection to going 500 feet north of Newcomb Hollow?

MR. THOMPSON: All land north is U.S. owned, but to the south it is a high bank. At Le Count Hollow we have acquired all of the Maguire's holdings, and it may be possible that something can be done there.

MR. DIEHL: Have you plans to develop Le Count Hollow as a Federal Beach?

MR. JOSEPH: No, not unless we had some understanding with the town. We know there is a town landing there. In the Master Plan it was planned as a Federal beach access. This was planned back in January, 1963 and before assumptions affected what we were going to do. Wherever the town retains a town landing, the National Park Service, of course, intends to stay out.

MR. NICKERSON: In other words, there will be a major Federal beach at South Wellfleet, slightly south of the area we are now on. What you are proposing is that the Town of Wellfleet would get a piece of beach at Newcomb Hollow of sufficient size so that you could have a substantial beach, and a possible neighborhood beach at Le Count Hollow so that this will clear up the waterfront at the beach. In other words, there will be a major beach operated by the town to the north of Newcomb Hollow and a major Federal beach at South Wellfleet, with a smaller neighborhood beach at Le Count Hollow.

MR. PARK: In Whitecrest section we have thought of opening a small section of beach for surfers. We have got to give them some place to go. Because of the influx of these people and the difficulty of controlling them, it is best to give them a place for themselves. We have had trouble at Le Count Hollow with the surfers. Whitecrest is a difficult beach to get to and would be the answer to the problem.

MR. CHILD: As I understand it, you would like to exchange 72 acres at Camp Wellfleet for 1000 frontage or possibly more for acreage.

MR. JOSEPH: The acreage has never been spelled out.

MR. NICKERSON: You have got to provide sufficient land for possible erosion also.

MR. MCNEECE: At the beginning of the Truro line, how far South could it come and still be a good beach area?

MR. PARK: Access would only be at the present location. The dunes would not be disturbed.

MR. NICKERSON: I think the function of the Commission today is not to decide how much, but to make a recommendation in executive session. Do you have any more questions?

MR. MCNEECE: The larger location at Gull Pond near Newcomb Hollow has been mentioned. If you gained more in frontage along the waterfront and did not come back in depth, would this not affect this lovely area? Could you have your cake and eat it too? I am concerned about this fragile area, along Gull Pond.

MRS. WILES: It has nothing to do with Gull Pond.

MR. NICKERSON: Is there any land available for public swimming at Gull Pond? Is there any frontage owned by the United States?

MR. THOMPSON: Yes. And there is a public beach owned by the town on the West side.

MR. NICKERSON: Have you gentlemen anything more you would like to say before leaving? We thank you for coming, and welcome this opportunity to discuss it with you.

(Messrs. Atwood and Park leave)

MR. NICKERSON: What do you want to do?

MRS. WILES: I would like to make a motion that the Advisory Commission approve an exchange of land, especially at Newcomb Hollow and perhaps elsewhere.

MR. DIEHL: Stan, have you anything to say about this?

MR. NICKERSON: It is evident from Mr. Garrison's letter that he does not agree with Newcomb Hollow.

MR. JOSEPH: The record speaks for itself. If a major beach is developed, there would be disadvantages as related in the memorandum in planning with the town. One would be access. We want to help the town in providing a town beach for Wellfleet, and we want to act in concert with the town in developing a Master Plan including access to beaches. We do like the idea of having a town beach which is quiet and small. However, this correspondence is not final, and it is not mandatory, but a suggestion to be considered.

MRS. WILES: The town will not go along with Le Count Hollow, and no one we have talked to will go along with it. It is too close to the major beach at South Wellfleet, and there are too many cottages.

MR. DIEHL: I do not think the roads today can handle a major beach at Newcomb Hollow. If I owned property there I would oppose it.

MRS. WILES: There are two roads, really three. (Goes to board and points out roads on map) I don't think there would be a problem so long as the roads are concerned. Before we put in our sticker system, we had cars parked along for almost a mile. It is a beach that the Wellfleet people have used for years and want to continue to use.

MR. DIEHL: How many stickers did you give out last summer?

MRS. WILES: I do not know.

MR. CARLETON: Could Truro get some of this beach at the Truro line and then they could walk over to Wellfleet?

MR. NICKERSON: You have heard Mrs. Wiles' motion. What do you want to do with it? Would you be willing to restate your motion? The motion as I understand it is that the Advisory Commission recommends to the Park Service that they proceed to work out an exchange of the presently

owned town land of 72 acres referred to in your memorandum for land which would provide an adequate town owned beach at Newcomb Hollow, with possible modifications at other locations.

MR. CHILD: It seems to me from the questions people have asked, I wonder if we really know the area. This is one of the most fragile and beautiful areas in the whole Seashore. I think before taking a vote we should go down and see it. Personally I will not vote for it.

MRS. WILES: I think we should put it to a vote.

MR. MCNEECE: I think we should include in the exchange all of the South Wellfleet property so that those two parcels no longer belong to Wellfleet.

MR. DIEHL: All Wellfleet areas in Camp Wellfleet and the Gut also. I am sick and tired of hearing this mentioned. This is the only way we can get to Great Island.

MRS. WILES: If you will clean this up, I will go along with you.

MR. DIEHL: I think it is a mistake not to include this at this time. We are subject to a lot of criticism. Do you object to our including this?

MRS. WILES: Yes, I do. Let's clean up this first.

MR. NICKERSON: There is only one way of getting out to Great Island. I do not believe this Commission should be concerned with details of the negotiations. I think in exchange for all the land the town owns in Camp Wellfleet, we recommend that the Park Service negotiate with the town so that the town shall have a satisfactory beach at Newcomb Hollow, improvements at Le Count Hollow, and such other areas which might be involved. It seems to me the Gull Pond area might be involved. Are you ready for the motion?

MR. DIEHL: I want it in the records that the Gut be included.

MR. NICKERSON: I shall try to restate the motion again. How does this sound? "The Advisory Commission recommends to the National Park Service that it carry on negotiations with the Town of Wellfleet to the end that in exchange for all the land the town presently owns and has an interest in, in the so-called Camp Wellfleet area (approximately 72 acres) that the Town of Wellfleet would acquire additional land at Newcomb Hollow to provide for an adequate town owned public beach having in mind minimum encroachment upon adjacent natural values; possible improvement of the town owned beach at Le Count Hollow; and such other areas as may be to the mutual advantage of the town and the National Park Service." How does that strike you, Mrs. Wiles?

MRS. WILES: Good.

MR. NICKERSON: I did not mention the Gut, but it is on the record for discussion. Is that all right? Are you ready for the question? (Mrs. Wiles made the motion, and Mr. Diehl seconded it, and it was VOTED unanimously.)

Item 6. Commercial Operations

MR. JOSEPH: Horton's Trailer Park would like to ask for a 5-year extension of its Certificate of Suspension of Condemnation for Commercial and Industrial Property.

MR. CARLETON: It is an eyesore.

MR. NICKERSON: What is your recommendation?

MR. CHILD: How many camp sites and how many trailer sites are there?

MR. NICKERSON: Does this permit allow for any enlargement?

MR. JOSEPH: The owner has said nothing about enlargement.

MR. CARLETON: What changed his mind? I thought they were going to abandon it.

MR. JOSEPH: They once mentioned, I believe, a boy in service who at one time indicated he might be interested in running it.

MR. DIEHL: Have we any money?

MR. JOSEPH: None.

MR. CARLETON: I think we should insist on improvements.

MRS. WILES: There is one thing to consider, whether you like it or not, you do not have enough camping facilities.

MR. NICKERSON: There is not much else we can do except go ahead with this, but we can include in our recommendations certain qualifications such as the camp should not be enlarged, and the quality improved.

MR. MCNEECE: Can't we put some teeth into it so that we can get these improvements?

MR. NICKERSON: If we insist on too many improvements which are costly, he may balk.

MR. MCNEECE: Aren't there some particular areas in the camp where planting could be used for screening?

MR. NICKERSON: How would it be if we recommended in the extension a provision that the camping area should not be increased during that period, and a provision further that the Park Service require reasonable improvements to the general area before going ahead with it.

MR. CHILD: Perhaps a 200 foot set back would help.

MR. CARLETON: The sewage is a problem. If the wind is right, and you are playing golf, you get quite an odor.

MR. DIEHL: Jack, have you any ideas about this?

MR. BROWNELL: So far as the public health laws are concerned, they are very strict. We do not have five year leases. Ours are only on a year to year basis, and before the lease is renewed, any sanitary problem must be cleared up. We will hold it up until it has been taken care of. They pay $85 a year for the land, and we are in the process right now of beginning to take the land and not renewing the licenses. This will take place within the next 10 years. There will be no compensation.

MR. STRANGE: Horton's license was rescinded, and actually taken away last summer by the public health authorities. However, because no action against them could be taken, the license was given back.

MR. NICKERSON: Are we ready for a motion on this? We recommend that Horton's Park be given a five year extension of the Certificate of Suspension of Condemnation, provided, however, that there be no increase in the acreage, and such reasonable steps to improve the property be taken, and that they comply with State sanitary regulations.

MR. STRANGE: Would it be fair to make Horton's go along with State sanitary standards and not the others if they lose their licenses too?

MR. NICKERSON: Are you ready for the question? (It was moved, seconded, and VOTED unanimously.

Item 7. Preliminary Discussion Regarding Beach Buggies.

MR. JOSEPH: Mr. Bean has some information regarding this.

MR. NICKERSON: It was not our intention to solve anything but offer some recommendations.

(Mr. Bean reads some of the recommendations, with Mr. Strange pointing out on the maps various locations. He will send copies to all Advisory Commission members in accordance with their request.)

Recommendations for 1968 and Subsequent Seasons: (Beach Buggy Use)

1. The only change in present regulations to be an enlargement and strict enforcement of Regulation No. 7 as follows: "All occupants of vehicles parked on the beach between midnight and 6 A.M. must be actively engaged in fishing. Beaches must be clear of all other vehicles by midnight. Camping, sleeping in the open or in vehicles on the beach is prohibited."

** It has been suggested for the last two years that two night patrols be established to provide more complete protection and enforcement coverage during the night-time hours between 6 P.M. and 6 A.M. I concur with this suggestion. One duty of this second patrol could be the checking of the beach from Long Point to Head of the Meadow from midnight to the end of their shift, along with the regular curfew of the various parking areas at Herring Cove, Race Point, High Head and Head of the Meadow.

Over-Sand and Dune Area Use:

1. Establish one interesting sand route from Race Point to Snail Road that will afford an over-sand driving experience, yet will keep privately operated vehicles away from the established commercial Beach Taxi tracks, and will afford the patroling Ranger better checks on over-sand use and will protect the dunes area from indiscriminate driving, destruction of grassy areas and the preservation of the "tranquil scene" the undisturbed dunes present to the visitor.

2. Request Beach Cottage Owners' cooperation by using access roads only at Race Point or High Head. These access roads are also used by the Commercial Beach Taxis and should be posted for use of Beach Taxis and Cottage Owners only.

3. Post sandpit access to dunes for Beach Taxis only.

4. Privately operated over-sand vehicles' accesses limited to the following: Over-sand route from Race Point to Snail Road; beach accesses at Head of the Meadow, High Head, Race Point, Airport, Province Lands Road, Herring Cove North Beach, Herring Cove to Long Point.

5. Limit travel over the Dunes Areas to commercial Beach Taxis operated under Special Use Permit from the National Seashore. Require strict adherence to established routes. No changes without prior approval of District Ranger.

6. Replace all wooden route markers with steel posts. Attach directional emblems with bolts and jam the thread ends to discourage theft.

7. Possibly establish a $1 Daily and $7 Annual Fee for "Entrance to Sand or Beach routes" or "Beach User Fee." This could be a requisite for obtaining an over-sand permit.

MR. STRANGE: We issued 700 permits for over-sand use this year. You saw pictures of how difficult it is to control this.

MR. NICKERSON: Your major problem is camping under the guise of fishing. How many beach buggies do you think might be involved?

MR. STRANGE: From High Head at Truro up to Race Point in Provincetown, perhaps no more than 100 beach buggies. However, they are not strung out, but are in little clusters.

MR. BEAN: What we would like to do is to have additional Rangers patrol around the clock.

MR. STRANGE: If we do get them off the beach, say by midnight, then we are faced with the problem of telling them where they can go.

Item 8. Information regarding Water Resources and Police Protection

MR. BEAN: Maybe I can touch on this briefly. (He reads from recommendations regarding police protection portion.)

MR. DIEHL: Can we reimburse towns for all this traffic?

MR. BEAN: Yes, under special circumstances. If we're going to get extra appropriations for this, it would have to show for special situations, similar to the dedication of the Seashore.

This past year we have had assistance from the U.S. Commissioner, who came to Headquarters once a week all summer. This summer we had 61 cases compared to four the summer before, when we had to take them to New Bedford. This new arrangement worked out very well.

MR. NICKERSON: What kind of cases would be involved?

MR. STRANGE: Misdemeanors, such as traffic violations, indecent behavior, driving without a permit in over-sand routes. They are not physically arrested, but are asked to appear before the Commissioner.

MR. NICKERSON: How would you describe your relations with the towns with respect to law enforcement?

MR. BEAN: I think relations are very good. In the case of the Job Corps, where there are felony cases, this is out of our jurisdiction.

MR. JOSEPH: So far as parking problems are concerned, most of these occur during the summer. Along Highway 6 in Truro, there are turnout facilities where travellers park. Various comments are made that indicate that they would like us to help take care of this sort of thing, but we do not have jurisdiction in these turnouts along Route 6.

MR. DIEHL: Do you handle parking problems?

MR. JOSEPH: They go before the Commissioner.

MR. BEAN: Prior to this, they went before the State Courts.

MR. JOSEPH: Mr. Bowman will speak about the water resources.

MR. BOWMAN: A year or so ago Provincetown approached the Seashore for access to lands owned by the Seashore for the purpose of testing and possible future development of ground water resources. Because this request was unique, it was necessary to go to our land and water rights division to explore the conditions where Government owned water resources could be made available for other than Government uses. As a result of this we have evolved some guidelines to help us in the future.

1. Water is a part of the natural resources of the Seashore and any outside use must be accompanied by comparable benefits. Water as an asset of the U.S. Government cannot be given away. As an example, Provincetown owns and supplies water to the Seashore, at a reasonable rate. This would be a basis for consideration.

2. The overall plans of the town or any other body or agency in the use of development of the use of water supply would have to be compatible with the plans of the Seashore.

3. Provisions protecting the U.S. Government rights to the water must be included in any agreement.

MR. NICKERSON: This was based on general mineral rights in Washington where water is considered a mineral.

MR. BOWMAN: We have issued a Special Use Permit on the Provincetown situation mentioned above.

MR. NICKERSON: What if the National Park took over the entire town, how would the town gets its water supply?

MR. BROWNELL: We have recently acquired some property from GSA in the South Shore, an area during World War II used by the Government, and one town has come to us with a proposal to be presented before the General Court. Three thousand acres are involved in this water shed, and in this same area we would like to develop a swimming area, and the town wants to develop it as a water reservoir. As you all know, the two do not go together in Massachusetts.

MR. CARLETON: Can I get a sign put up on Highland Road inside the Park stating "Please Respect Private Homes, etc."? It is on the way to Highland Light.

MR. JOSEPH: We will be glad to do this, the same as signs located on Longnook Road and other areas within the Seashore where there is a concentration of homes.

Item 9. Agenda Items and Date for Next Meeting.

MR. NICKERSON: Our next meeting is scheduled for December 1, at which meeting Selectment, members of the police department and chairmen of finance committees will be present. Do you figure this will be a fairly long subject for discussion? We ought to plan to make this the major item in our Agenda.

MR. JOSEPH: There will be 12 present. I should think it would be fairly lengthy.

MR. NICKERSON: What about a field trip to Snail Road before the weather gets too bad? How about meeting at 10:30 am and then coming back to Headquarters for a sandwich luncheon? We should be able to be back here by 12:30 pm so that the meeting can start at 1:30 pm. What time have these town officials been invited here? Is 2 o'clock agreeable?
Before we adjourn I would like to ask Mr. Brownell if he has anything he would like to say.

MR. BROWNELL: I certainly have enjoyed attending this meeting, and it has benefited me a lot hearing about your problems encountered with the various towns. We are meeting with four towns in a proposal for a large State park, and similar problems as you have encountered are coming for us.

MR. CHILD: If Mr. Brownell can come again, we hope he will. Perhaps he would like to come along on our field trip as well.

MR. NICKERSON: If there is no new business, then I suggest we adjourn.

(Meeting adjourned at 4:45 pm.)

(For Administrative Use Only)

M I N U T E S

Sixty-fourth Meeting

CAPE COD NATIONAL SEASHORE ADVISORY COMMISSION

AT

Headquarters, Cape Cod National Seashore

December 1, 1967

AGENDA

CAPE COD NATIONAL SEASHORE ADVISORY COMMISSION

Sixty-fourth Meeting

December 1, 1967

Item	Subject
1.	Adoption of Agenda
2.	Approval of Minutes of Previous Meeting
3.	Communications Received by the Commission
4.	Progress Report - Cape Cod National Seashore
5.	2:00 p.m. Police Protection & Water Resources
6.	Beach Buggy Operations
7.	Agenda Items and Date for Next Meeting
8.	New Business

The sixty-fourth meeting of the Cape Cod National Seashore Advisory Commission was held on December 1, 1967 at the Administration Building in the Marconi Station Area, South Wellfleet, Massachusetts with the following members present:

MEMBERS	Recommended by
Joshua A. Nickerson, Chairman	Barnstable County
Leo E. Diehl, Vice Chairman	Secretary of the Interior
Robert A. McNeece, Secretary	Town of Chatham
John W. Carleton	Town of Truro
Ralph A. Chase	Town of Eastham
Josiah H. Child	Commonwealth of Massachusetts
Esther Wiles	Town of Wellfleet

OTHERS: National Park Service, U.S. Department of the Interior

Stanley C. Joseph	Superintendent, Cape Cod National Seashore
George H. Thompson	Land Acquisition Officer, CCNS
Norton M. Bean	Chief Park Ranger, CCNS
Richard N. Strange	North District Ranger, CCNS
William C. Brown	South District Ranger, CCNS
James H. Bowman	Park Engineer, CCNS
Lyndell Baldwin	Secretary, CCNS

Also: Mr. Arthur Brownell, Director of Conservation Services, Massachusetts Department of Natural Resources; Robert A. Hancock, Town Manager, Charles J. DeRiggs, Selectman, Francis Marshall, Police Chief, Munro Moore, Finance Committee Chairman from Provincetown; Stephan R. Perry, Selectman and John Dyer, Finance Committee Chairman from Truro; Henry Atwood and Douglas Park, Selectmen, Charles Silva, Police Chief and Malcolm C. Law, Finance Committee member from Wellfleet; Luther P. Smith, Selectman,

Winfred Knowles, Police Chief and David Crary, Finance Committee Chairman from Eastham.

Absent Commission members were: Arthur Finlay, (Town of Orleans), Nathan Malchman, (Town of Provincetown), and Robert L. Yasi, (Commonwealth of Massachusetts).

The meeting was called to order at 1:50 p.m. by Chairman

Nickerson.

MR. NICKERSON: We have several guests coming in for a meeting at

2 p.m., shall we take up the agenda items as quickly as possible before

they arrive?

Item 1. Adoption of the Agenda. It was moved, seconded and VOTED

to adopt the Agenda as printed.

Item 2. Approval of the Minutes of the Previous Meeting. Since

distribution of the Minutes of the previous meeting was made today

it was moved, seconded and VOTED to defer approval until the next meeting of the Commission.

Item 3. Communications Received by the Commission.

MR. NICKERSON: I received a telephone call from an Orleans citizen who was distrubed by an article in the Standard Times. Some of you may have seen this article in which the United States Attorneys, Markham and Shugrue are credited with making remarks about land acquisition in Eastham. I was interested that it says the land will be used largely for recreational purposes. Evidently they used these words in the condemnation proceedings. It seems to me if any land is to be acquired for recreational purposes it should be only within the

limits of the master plan and as you know, the Act provides there shall be no recreational or public use areas established without seeking the advice of this Commission. It seems to me that the United States attorney may have been going a little beyond his field of propriety, at least in explaining that this land is being acquired for recreational purposes and proceeding to authorize payments for land at the present time when we are out of money.

MR. DIEHL: They have funds for any lands that are condemned. If you want to get your land taken just start building.

MR. NICKERSON: They have funds for that?

MR. JOSEPH: Leo says they have. I would be interested in the source of his information. I have a comment if you want it. In view of the limitations of the funds authorized in the Act having been reached, there would in all probability have to be a deficiency appropriation.

MR. DIEHL: That is what I am talking about. We have spent the sixteen million dollars that was appropriated, but if you condemn my property I have to get paid. Congress has to allow it.

MR. THOMPSON: If we have no funds left for land purchases and a condemnation case is filed with a judgement made in the amount of "X" number of dollars, then they have to go to Congress and ask for that money.

MR. JOSEPH: This is my opinion of how it would work.

MR. MCNEECE: The same thing applies to a small town. If there is a judgement for which we haven't apprcpriated money, we still have to raise the money to pay it.

MR. NICKERSON: But that still leaves the question open as to whether or not this land is being taken for recreational purposes.

MR. THOMPSON: Can I read you a memorandum? When the Service forwarded this request for condemnation to the Solicitor's office, a part of it read: "This land is a portion of that needed for development purposes in connection with the location of roads, bicycle and foot trails, beach accesses and parking areas, the construction of which is scheduled to commence early in Fiscal Year 1969. These developments are the absolute minimum required for the establishment of a usable seashore recreational area."

MR. NICKERSON: Was this what they filed in the condemnation notice?

MR. THOMPSON: This is what went from the Park Service Director to the Solicitor.

MR. NICKERSON: My callers were distressed at this land being taken for recreational purposes. Was it?

MR. THOMPSON: I wouldn't say so.

MR. NICKERSON: The United States Attorney used that word, or at least that is the way it was reported. I would like to suggest if you think well of it, that we as an Advisory Commission ask the Superintendent to communicate with these people to see if the documents state that it

was taken for recreation, and if so that we ...

MR. DIEHL: I don't think we should open this up. We went over the matter satisfactorily and received a good answer. If we start answering every newspaper article in the next few years there is going to be no end to this type of thing.

MRS. WILES: Where is this land?

MR. JOSEPH: It is in Eastham. Undoubtedly the U.S. Attorney's office did mention it as recreational, because this is all recreational in their opinion.

MR. NICKERSON: If he is putting the word "recreation" in the condemnation procedures, it can only be used for that purpose.

MR. JOSEPH: I think I will try to give the U.S. Attorney's office an interpretation of the difference between recreation and conservation.

MR. NICKERSON: I think this should be called to the attention of the U. S. Attorney.

At 2 p.m. the Commission received the following visitors:

Selectman Luther P. Smith, Town of Eastham
Police Chief, Winfred Knowles, Town of Eastham
Finance Committee Chairman, David Crary, Town of Eastham

Selectman Stephan R. Perry, Town of Truro
Finance Committee Chairman, John Dyer, Town of Truro

Finance Committee Member, Malcolm C. Law, Town of Wellfleet

Finance Committee Chairman, Munro Moore, Town of Provincetown

Messrs. Bowman, Brown and Strange, of the staff of Cape Cod

National Seashore joined the meeting at this time, and the group were introduced to the Commission by the Chairman.

MR. NICKERSON: This meeting was requested by you and consequently the Advisory Commission is ready to let you take the floor and present what you have on your mind.

MR. DYER: The matter is that the towns in the outer Cape have been put to considerable expense and difficulty in the matter of their police departments because we have the National Park here which has caused a large influx of people. This puts an additional responsibility on the Police Chiefs and Departments and I think there should be a matter of some compensation. That matter hasn't been fully worked out. It has been worked out with Fire Departments, why couldn't it be worked out with Police Departments?

MR. NICKERSON: Do you know what we do with regard to the Fire Departments?

MR. SMITH: I don't believe the Police Department has anything to do with the Fire Department. They guarantee a certain fee for the towns.

MR. MCNEECE: An annual fee?

MR. JOSEPH: I will mention this briefly. Bill (Brown) unless you have the material at hand perhaps you will want to get it from Mrs. Farrell, both as to the amounts and the memorandum from Supervisory Park Ranger Davis in the Regional Office to Chief Park Ranger Bean. Ben Bean cooperates with the Police Departments as much as he can,

that is one reason he is attending their meeting today in Falmouth; we expect he will return in order to join us very soon. There is an appropriation item in our forests and fire control activities; it is generally authorized by a specific piece of legislation which does provide a sum worked out by the Chief Park Ranger and the town Fire Chief with due review by the Selectmen and me.

(Mr. Bean joined the meeting at 2:10 p.m.)

MR. BEAN: In the last two or three years a fair reimbursement of about $2,000 per annum was worked out. It represents a base amount that is paid regularly to the town whether or not there are any fires in the Seashore. It is open end to the extent that if the town fights fires to a greater extent than the base amount the Seashore will pay out of emergency fire fighting funds the cost of the fire.

MR. NICKERSON: If there is no fire you will still pay, and if they spend more you will pay that too. The $2,000 is sort of a demand charge so to speak. Does the Park Service have any fire fighting equipment?

MR. BEAN: Yes, we have two fire trucks and two patrol units and the Job Corps has one fire truck.

MR. NICKERSON: If that is your understanding of the arrangement Mr. Dyer, what you are asking is, what is the situation with regard to the Police Department.

MR. DYER: As of now this just involves cooperation with some Park

Rangers who are sworn in as Special Police Officers. The local police expect to help in a Park situation. Obviously our Police Department has to patrol our parking area and in case of an automobile accident or a fight they are called in just the same as in a fire. The great influx of people into these towns on the Cape on account of this Park has created a situation that does put extra pressure on the town police. They have far more work to do because there is a National Park.

MR. MCNEECE: I wonder if I could move over and sit with these gentlemen to include representation from the towns of Orleans and Chatham?

MR. BEAN: Since these two towns have relatively little land in the Seashore I believe they were not invited to participate in this discussion. The greater percentage of the area in the Seashore is in the towns of Eastham, Wellfleet and Truro.

MR. NICKERSON: Based on the authorized boundary or the land acquired?

MR. BEAN: The boundary and the percentage of land taken.

MR. NICKERSON: In Chatham and Orleans at the present time this represents only a few acres. Is it the general opinion of the town representatives here that the present arrangement with regard to Fire Departments is reasonably satisfactory?

MR. MOORE: The Provincetown Fire Engineer seemed to feel this was quite fair at present. We haven't had too many calls in the Seashore. We are talking about the Province Lands. When we bought a new pumper

this year we took into accord that this is going to be used off the roads, and used larger tanks on the basis we are getting some money from the Seashore that will help pay for it.

MR. PERRY: In the past years we have been paid by the amount of water we carried to a fire. We will have to compile the number of miles this year before we can know how this works out for Truro. The principle seems fair.

MR. NICKERSON: How about Wellfleet?

MR. LAW: I would go along with that but would like to point out that the increase in our Fire Department budget has not been nearly as much as the Police. I don't suppose there is any way you could actually measure how much of the Police budget increase has been due to the Park; but I did take off some figures beginning in 1960 and the Police budget has just about tripled, due to many factors; but certainly the Park has been a big factor. I think the fire arrangement is satisfactory because it is elastic.

MR. NICKERSON: Mr. Dyer has suggested the same thing might be applied to the Police Department.

MR. LAW: I don't see how this could work out. Our Fire Department budget is about one-third the Police Department budget which is $45,000 including the dispatch center, which of course the Fire Department has the use of. For the purpose of relative figures I have checked to show the advance over the years 1960 to 1967.

MR. NICKERSON: How about the Eastham Fire Department, has that been a satisfactory arrangement here? Are we in general agreement that it is generally satisfactory? Do you find it satisfactory from the Seashore point of view?

MR. BEAN: Compared with other Park Service areas it is rather costly.

MR. NICKERSON: You have lots of different situations here which I imagine other areas do not have.

MRS. WILES: It seems to me as a citizen, that our Fire Department - we have to have $15,000 a year - it seems $2,000 is a very small part since the Park has 60% of the land. At least they should pay one-third. I think it should go up as the years go on and more land is acquired.

MR. NICKERSON: We are trying to find out whether the principle is working in a reasonably satisfactory manner in regard to Fire Departments.

MR. LAW: So far as I know in Wellfleet there hasn't been any criticism on the Finance Committee regarding the arrangement we have. I am thinking we are much more concerned with the Police Department.

MR. NICKERSON: Would the same factors in arranging for the solution to aid the Fire Department be involved in an approach to the Police Department problem?

MR. MOORE: As I understand it from Chief Marshall apparently the

Park Rangers are Provincetown Special Police officers and can handle police duties on Federal property, but as I understand it if there is a traffic accident at Race Point the Provincetown police are called and they go through the court procedures which takes time in the summer from their own police duties in the town

MR. BEAN: That is not entirely correct. In the past, until last summer, the nearest U. S. Commissioner to whom we could take our cases was located in New Bedford, a ninety mile trip which would kill a day, and many cases did go to the local court to avoid this. However, last year a U. S. Commissioner was appointed who heard cases right here in this room once each week, and we were able to investigate accidents on our own and bring the offenders in to the Commissioner. Our records indicate we took five cases to the Commissioner in New Bedford in 1966 and sixty-seven to the Commissioner in 1967. These were almost all traffic offenses. Assault and battery is a different situation. We have what is known as proprietory jurisdiction at Cape Cod National Seashore. This means that we have the rights of any property owners, plus a few special privileges such as trying misdemeanors. The towns and political subdivisions have retained the right to take care of felonies, so we do not have jurisdiction over them. Assault is considered a felony.

MR. NICKERSON: What about drunkenness?

MR. BEAN: That is a misdemeanor and we can take care of that.

MR. NICKERSON: Isn't your problem complicated by the large number of private properties?

MR. BEAN: We would not have any problem if our jurisdiction was concurrent.

MR. CHASE: Do the town police have authority in misdemeanors within the Park?

MR. BEAN: Yes, they do.

MR. CHASE: I asked because at this season of the year I wondered if they would have to wait until a Park Ranger could get out there.

MR. BEAN: The first man on the spot could handle the case because the town still has jurisdiction.

MR. NICKERSON: In Provincetown the boundaries are clear cut because all land in Provincetown with the exception of a narrow strip was always in public ownership. What about Truro

MR. PERRY: We have a situation where visitors seem to cause problems with the Police and Fire Departments. We provide the services of Fire and Police Departments and Rescue Squad. If we could get the National Park Service to admit these problems are on us because of them, it would be the first step. As far as putting a price on this, this is hard to do, but the problem still exists. Basically this is what the Finance Committee had in mind.

MR. NICKERSON: How to approach the problem?

MR. PERRY: We would like to have the help of the Park Rangers in

full capacity as police officials in the rest areas. After using the National Park areas they stop in the rest areas along the highway overnight. It would help if the Park Rangers could have as much enforcement power as our police officers, and use it. We have hundreds of visitors causing other problems in the town.

MR. NICKERSON: Are the Park Rangers authorized as police in Truro?

MR. PERRY: Yes. Being designated as such and being ready and available are two different things. I don't believe the Park Rangers have on their itinerary to check the rest areas on U.S. Route #6, but this is a problem the National Park visitor is causing the town of Truro. We have no where near enough State Police on the state highway. If we go along with the National Park Service figures the road in Truro may eventually become impassible. I have waited fifteen minutes to get through the Wellfleet blinker. We need help with traffic and the Rescue Squad operation. This is under the Fire Department but more or less a separate operation.

MR. BEAN: The Rescue Squard is considered under the Fire Department's flat reimbursement rate.

MR. MCNEECE: How much have you had to increase your police budget?

MR. PERRY: Double in the last five years, but I don't have figures on what proportion can be considered necessary because of the National Park Service.

MR. DIEHL: In manpower and financial cost?

MR. PERRY: Both.

MR. CARLETON: In the winter we don't need a large force, but from June to the end of November it hurts.

MR. PERRY: What would happen if four or five hundred people came to a Truro beach and caused a mob scene? What would we do? Call in Park Rangers from somewhere? It seems as if there should be twenty-five Rangers available to go in and help out.

MRS. WILES: These hippies that were here, were they on town lands? If not, why did the Park allow them when they were here?

MR. JOSEPH: We were aware, and it was very well controlled.

MR. BEAN: We can provide help outside of the Seashore on something like that. If it is additional manpower that is needed we can try to increase the Ranger personnel. It is easier to do that than to get additional funding for cash reimbursements. We are not over-supplied with manpower, but we could go to your assistance.

MR. JOSEPH: Isn't there a joint arrangement which has been in force; the training in riot control, connection with the Barnstable County network, so when there are undue concentrations we do have sufficient control available?

MR. BEAN: Yes, this is all true, and our Park Rangers attended the riot control school. We participated and trained with the Provincetown Police Department once a week in the evening on our own time.

MR. NICKERSON: Generally speaking, this problem is not one of riots,

but of day to day operations.

MR. MOORE: In the last three years Provincetown has had to add four additional patrolmen. This has nothing to do with the park itself, but it is still inadequate. This year it looks like we will need more room to put up the people who would like to come to visit the town. More efficient transportation facilities have added a tremendous number of cars, not coming to stay, but coming to visit the Seashore. Our Police Chief and his force are unable to cope with the extra number of people. The town itself has not grown by those coming to stay.

MR. NICKERSON: You attribute the increase to double, in part at least, to the Seashore?

MR. MOORE: It is double. We have reached the saturation point. Before this we didn't need anyone else during July and August, but they are coming to see the Seashore and our traffic problem has become enormous and almost insoluble.

MR. DIEHL: Do you have police officers hired just for the summer season?

MR. MOORE: Yes. But they can't be trained patrolmen as such.

MR. DIEHL: This problem does not exist just here. These people all have to come through other towns also, they go through Harwich and we are not being reimbursed. I think if it is just a traffic problem it is just a manpower problem not a law enforcement problem.

MR. LAW: Does the Park wish to have concurrent jurisdiction with the towns?

MR. BEAN: Yes and no, although we could handle certain cases which we can't handle now.

CHIEF KNOWLES: I swear a man in as a Special Police Officer with the same authority as I have. I will call them out. I thought they were appointed so that you could handle the cases in the lower courts. I don't quite understand why a town thinks they have to patrol the National Seashore. That is their problem. If they can't afford Park Rangers to patrol their property we are not going to do it for them. Regarding accidents, we call the Park Ranger and leave the responsibility for them. We patrol the town roads. I can't see reimbursement. It is going to cost you more money because if you are going to take reimbursements they are going to have something to say about what you do. We need extra help, but not because of the Park. We assist in every way, and if we need them they are going to assist me. The beaches on the ocean are Park Service beaches so I don't have to worry about them. If there is anything going on the Park Rangers are called. They have called us out to assist them, but I don't make any effort to patrol Park land.

MR. NICKERSON: Does this problem exist at this time of the year or do the police problems exist primarily from May to October?

MR. LAW: I would like to point out that many of our residents have

homes in the Park and live there all year round and they have a right to police protection, and if they want it they would call our police force.

CHIEF KNOWLES: We have that in our town too, but that is nothing to do with the Park area.

MR. NICKERSON: Private homes within the boundary are the business of the town.

CHIEF KNOWLES: As far as Eastham is concerned, it hasn't cost us one cent more because of the Park.

MR. NICKERSON: Your traffic problem is increased because the number of visitors is increased.

CHIEF KNOWLES: Traffic had increased 30% each year before the National Park came.

MR. NICKERSON: Mr. Diehl mentioned it might be more of a manpower than a law enforcement problem. What do you mean by that?

MR. DIEHL: It would be lots easier to put on ten more Park Rangers than get help through cash reimbursement.

MR. MOORE: If you make an arrest in the Seashore where would you hold your prisoner?

MR. BEAN: We would come to see you or go to Orleans.

MR. MOORE: We are furnishing the services of our jail, cells, lockup man and a matron if needed. It is not only traffic, but our Department is being strained more than normal growth would require by the

needs of the Seashore and therefore the town is having to put forth more than a fair amount of money. The lockup is just one small expense in addition.

At 2:50 p.m. the following visitors arrived and were introduced:

Selectman Henry Atwood, Town of Wellfleet

Selectman Douglas Park, Town of Wellfleet

Police Chief Charles Silva, Town of Wellfleet

MR. PERRY: To go back to the Park Rangers. We all agree they are willing and able, but we are after performance and patrols of the areas where the visitors may be, like rest areas where one hundred people may be sleeping beside the road. If they can do this, fine, but we would like to have manpower performance. If we had more State Police we would have less problems.

MR. NICKERSON: Are other towns having problems with people sleeping along the road?

CHIEF KNOWLES: We have a bylaw in Eastham against this and the police patrol sends them off.

MR. NICKERSON: Do you have much trouble there?

CHIEF KNOWLES: We don't, outside of possibly the night before the Fourth (of July) and Labor Day weekend.

MR. NICKERSON: How about Wellfleet?

CHIEF SILVA: On any given Saturday or Sunday night we will move fifty

to one hundred anyway from our beaches and side roads; all with the assumption that this is a National Park and they have this "right". The major problem with us is personnel-wise.

MR. MOORE: The same would be true in Provincetown.

MR. NICKERSON: You say they have assumed this is a National Park Service area and they have a right to be there?

CHIEF SILVA: We try to point out that they should look at the map and see that this is "proposed" as opposed to "being" a National Park.

MR. DIEHL: Did you have that problem before the National Park was established?

CHIEF SILVA: This was a very limited area as to accommodations, attractions, etc.

MRS. WILES: Who do the rest areas in Truro belong to?

MR. PERRY: There are five or six off Route 6 in Truro. They must belong to the state. We have tried to have police protection from the state, but they say they have the same problem that we do, they just bounce it around.

MRS. WILES: The state should take care of it if it belongs to them.

MR. PERRY: The visitor using the rest area to sleep has come to visit the National Park.

MR. NICKERSON: Sleeping in cars is only a minor problem.

MR. MCNEECE: In addition to this problem of sleeping in rest areas

you have quite a little traffic coming into the center of Truro. Do you attribute this to the National Park?

MR. PERRY: I would say we do in part.

MR. MCNEECE: Part would have developed naturally because of the increased visitation to Cape Cod, but part is attributed to the fact that the National Seashore is here.

MR. PERRY: Would the National Park Service consider sending Park Rangers down to handle traffic at intersections in Truro? I think increasing the number of Rangers would help to some degree, but I think actually a lot of this traffic is filtering into the towns themselves where their own police force has to cope with it.

CHIEF SILVA: Regarding the impact of people visiting the Seashore, regarding traffic control, this is one of the minor problems. The people come here in the summer without necessary funds. They are here on the basis they can camp. The beaches, with this influx of people, the police, fire and public services are overtaxed to the point where I feel we are inadequately set up to handle it. They have an emergency, they get sick, they run out of money, they steal. The Police Departments on Cape Cod are geared in the wintertime to below minimum, in the summer we are hit with an influx which is beyond our ability to cope with, so we get special policemen, untrained, ill-equipped; they can't cope with the existing problems. In Wellfleet we have a one hundred man Job Corps Center putting a tax on our police

force as well. I am sure the Truro and Provincetown Police Chiefs would amplify their situations if they were here.

MR. NICKERSCN: It is pretty much accepted that the police problems in the involved towns are all seasonal problems; at least those we are discussing have no wintertime problem of jurisdiction with which they cannot cope. We are pretty much in concurrence that the seasonal problems of the warm months have been growing very rapidly over the past years and that a portion of this increase is contributed to by the presence of the National Seashore. No one can say how much; it would only be a guess. What is the best way in which we and our towns can cooperate in meeting this problem? One suggestion was that there be reimbursement of a financial nature comparable to what has been done with the Fire Departments. Another was that this is a problem primarily of manpower and should call for closer cooperation of Rangers and Town police. We are all in agreement that there is a problem.

MR. MCNEECE: Could anyone from any one of the towns give me an estimate as to the amount of increase reflected in the various towns as a result of the Seashore? It was anticipated that these adjacent towns would prosper as a result of this. If you are doing more and more business you have to take the consequences to a certain degree, but if you are not doing enough more to offset an increase in crime and need for police protection, that would be a factor.

MR. MOORE: I don't see how this can correlate. Why penalize the growth of a summer community?

MR. DIEHL: What is your police budget?

MR. MOORE: In excess of $60,000. Between $60,000 and $70,000.

MR. PERRY: $21,000 and going up an estimated $3,000.

CHIEF SILVA: $31,000, this covers other thangs than the police. We usually have three men, which is not enough to cover twenty-four hours at any time of the year. This figure is for below minimum coverage.

CHIEF KNOWLES: $30,000 in Eastham. Wellfleet is more than ours because it covers the dispatch center. The Orleans budget is $50,000.

MR. MCNEECE: In Chatham we are in excess of $100,000. Harwich is a little more and Dennis even more. The impact in Chatham is not from visitor activity within the area, but from the added traffic the Seashore might create, yet our budget has been growing pretty rapidly.

MR. DIEHL: It seems to me the problem is one of allocation of manpower.

MR. MCNEECE: This comes right down to money.

MR. NICKERSON: But instead of reimbursing in terms of money, supply manpower for duties which the town would otherwise have to perform.

MR. MCNEECE: I wonder about Park Rangers going into a town and doing things police should do. I think the towns have a reasonable case here which can't be entirely solved by providing half a dozen more Rangers from the Park Service. I doubt very much if we could work

it out here this afternoon.

CHIEF SILVA: To give the town Park Rangers, are you saying in essence you are going to make them policemen? Are they going to be here in October when the Superior Court sits? A policeman has to become a part of my department; we must be able to control his actions and to know that he is prepared from October to April to be a witness or a complainant in Court. If you are thinking in terms of manpower it can only be in areas of traffic control, and not be involved in actual police functions.

MR. DIEHL: What is the total police force in the four towns in the summertime?

ANSWER: Provincetown 20, Truro 4, Wellfleet 6, Chatham 14, Orleans and Eastham answer indistinguishable. Twenty Park Rangers.

MR. NICKERSON: How many on duty protecting the bathing beaches?

MR. BEAN: Life guards are backing up each protected beach area; we have thirty-five lifeguards.

MR. NICKERSON: What do the Park Rangers do besides police work?

MR. BEAN: They assist lost visitors, provide information; they don't act as lifeguards or interpretors. They are essentially policemen and also provide some information and knowledge of the area to make a visit more meaningful. They are a walking encyclopedia.

MR. NICKERSON: So you have twenty Park Rangers on police duty which you did not have before the Park was established. How many visitors did

you have this year.

MR. BEAN: Our visitor count was almost three million this year. To determine the real load you must examine and assess the nature of the count.

MR. PERRY: Is there any way we can get possible participation from the nucleus of Park Rangers?

CHIEF SILVA: How many hours of the twenty-four are these Rangers on duty?

MR. BEAN: We are always on call. We can get fifteen or twenty men at the drop of a hat.

CHIEF SILVA: How many are on duty at 2 a.m.?

MR. BEAN: In the six towns about four.

MR. NICKERSON: Does anyone have any specific suggestion for a program they would like to put forward?

MR. BEAN: I might mention in regard to law enforcement in the case of using the lockup, if there is a definite obligation incurred we can always reimburse the town for the cost of the lockup, meals and a matron. We can pay for special costs but we do not have over-all legislative authority to reimburse Police Departments in the same way that we reimburse Fire Departments.

CHIEF SILVA: If it is within the realm of the Park Service to provide financial aid I suggest this be given to the towns so that we might maintain and train an adequate police force in the Summer, as opposed

to getting Park Rangers and special help. In that way we can get trained people. In my personal opinion the hiring of summer people is a waste of money. Our area of concentration should be a trained police department. In Wellfleet the Job Corps necessitates increasing our personnel.

MRS. WILES: I don't see how the Job Corps is the responsibility of the town of Wellfleet.

MR. BEAN: If we had concurrent or exclusive jurisdiction we could handle these things ourselves.

At 3:20 p.m. the following visitors arrived and were introduced:

Police Chief Francis Marshall, Provincetown

Selectman Charles J. DeRiggs, Provincetown

Town Manager Robert A. Hancock, Provincetown

MR. PERRY: Would there be such a thing possible as Rangers on loan to the town for the summer for trial or participation of Rangers with us in the field?

MR. BEAN: We would be glad for local police officials to come in to our training sessions and let them know what the problems are.

MR. NICKERSON: Regarding exclusive jurisdiction; that would present a very difficult situation here.

MR. BEAN: Exclusive jurisdiction would cover just the Federally owned lands. I think it is an unworkable situation here where private lands are interspersed. It could be workable in a concurrent jurisdiction,

the town would have the same right.

MR. MCNEECE: I think we are going to need a stronger and stronger police force on Cape Cod.

MRS. WILES: Why does Wellfleet have to police the Job Corps?

MR. BEAN: We can only handle misdemeanors, not felonies.

CHIEF SILVA: Felonies are handled by the local police force.

MR. NICKERSON: Who has jurisdiction inside of there?

MR. BEAN: We have the right to help you.

CHIEF SILVA: But you have no power to arrest under the Massachusetts statutes. The main point is that you have to educate men to be a policeman. As Chief of Police I am responsible for this and I am not going around hanging badges on anyone unless they have the necessary training under Massachusetts laws.

MR. DIEHL: Do you have any summer policemen?

MRS. WILES: You said you had jurisdiction on Federal lands for misdemeanors, why don't you have more control over the Job Corps? Why should the town of Wellfleet have to pay for police on Federal land to take care of the Job Corps, I think it is up to the Federal Government.

MR. BEAN: The state and political subdivisions have retained jurisdiction and have a legal obligation for the enforcement of state laws.

MR. DIEHL: I think we should have more State Police. The Park

Service has added twenty-five Rangers, permanent and seasonal in the last four to five years. What have the State Police added? We can understand their difficulties. They asked for one hundred and forty trainees and got one hundred.

MR. MOORE: To get back to some of the problems of law enforcement. I think perhaps our Police Chief could describe some of the impact problems in Provincetown and explain why because of the Seashore Provincetown is being taxed in time, money and in other ways.

CHIEF MARSHALL: (Chief Marshall quickly explained the background of the legislation leading up to the transfer of the Province Lands and the jurisdiction established regarding police protection.) As I understand it, the Park Rangers now take care of Federal offenses in the Province Lands and the FBI takes care of Federal crimes. We handle all violations under the Massachusetts statutes. The Park Rangers worked with me when we moved out the "squatters"; we used to police the dune area, but since the Rangers came they have removed that burden and they have been made special police officers in my department. I feel that these men are more than qualified; they may not be qualified in the Massachusetts statutes, but if they have a problem we prosecute it. I have had no problem in the dunes since they have taken over. I have no problems.

MR. MOORE: I don't know whether or not you consider it a problem, but we are feeling the impact of this increased visitation and we are going to feel it more.

CHIEF MARSHALL: Ten years ago I predicted that this would happen. We have sixty million people in this country, better cars and more money. We are going to have lots of people visiting here; the National Park will draw them. Do we say we don't want these people? They drop money; I don't know how much, but a million people each dropping one dollar would add up. It is going to make more work for us and give us a problem, this we expect.

MR. HANCOCK: I realize additional visitation and travel create problems but speaking of the situation in Provincetown alone, you can cite that they do bring in additional dollars. Proof of this is that the Provincetown Inn is going to remain open all winter and are building; a $350,000 expansion program; which is substantial, and in anticipation of staying open in the wintertime for years to come. The Provincetown Monument Association plans to remain open more months than previously, so that while we may suffer, you will also enjoy benefits, and personally I would rather be in the position of having more customers than you know what to do with, than trying to find customers, since we are a resort community. You are never lucky enough to strike the ideal situation, I would say, to have just the right number come. I am happy we are wrestling with the problem of more customers than we can handle comfortably rather than the other side. It has been my experience that relationships with National Seashore officials has been most cordial and cooperative.

I won't take the time here to point out all of these things, but there is certainly a disposition on the part of the Seashore officials all the way down to cooperate in any way they reasonably can. While I am willing to concede there may be some problems, I am thinking in terms of the Provincetown economy when I say that I am happy that the Seashore is here.

MR. PERRY: We should keep in mind that each town has a different situation. They don't have many privately owned homes in the Park Service area; there is a very small business area, this cannot be expanded. The summer visitor in Truro does not improve our economy. The problem of visitation is still the overriding one in Truro.

MR. NICKERSON: In North Truro you have motels.

MR. DIEHL: How many?

MR. PERRY: The Beach Point area is saturated. 90% of them are in the Beach Point area. The balance of the town is very stringently zoned.

MR. DIEHL: They do $700,000 worth of business in a ten week period. That is pretty good.

MR. PERRY: I could not do this even if I desired to do it because of the stringent residential zoning.

MR. NICKERSON: I don't want to cut this discussion short, but was there some question of water to be discussed?

MR. MOORE: The town of Provincetown had a question. Perhaps Mr. Hancock could get into it, we are looking in the Seashore for well

fields. He knows what the situation is. We are looking for definite permission to develop in the future when we need water.

MR. NICKERSON: Any problem?

MR. JOSEPH: We have issued the first permit and set up action looking to the second permit.

MR. NICKERSON: Anything you would like to present to the Commission?

MR. HANCOCK: We have no serious problems which we have not resolved. Basically our water supply has to come from the township of Truro, and we have done some exploratory testing. Some of the testing was done on land in the National Seashore on the basis of verbal arrangements more or less, and then when it became known there was some worthwhile supply from a municipal standpoint, the agreement as of now has been reduced to writing, so Provincetown will be able to develop a water supply within the Seashore provided we are willing to supply from our future transmission lines that may be installed, a supply to certain sections of Truro and the Seashore as they may need. We are at the present time supplying what is needed along the Race Point Road. With us there is no problem.

MR. JOSEPH: This is our understanding too.

MR. NICKERSON: Is the relationship in Truro being worked out satisfactorily as far as the town is concerned?

MR. PERRY: We wish we had more of a water supply for Truro residents but it has worked out that in the future there could be feasible arrangements made.

MR. NICKERSON: How about Eastham and Wellfleet. It would seem that perhaps the experience in Provincetown and Truro might be setting some precedent in case Wellfleet or Eastham had a problem.

MR. JOSEPH: We consider it is a good solid program and as it indicates some cooperation between Seashore towns we are naturally pleased.

MR. CHASE: The Eastham contingent has recommended some test wells within the Seashore. They found the best supply of water right in the Seashore area.

MR. CRARY: It is located on town owned land within the Seashore and unless some mutual agreement could be worked out we would keep it.

MR. NICKERSON: Apparently there is no problem here such as with the police situation; relations have been worked out satisfactorily up to the present time.

MR. JOSEPH: Wherever questions have come up they have been worked out. Those representatives of the various town activities who are here today did ask for a discussion on the subject of police and water with the Advisory Commission and the Commission acceded. I would like to ask those who are here whether there are more questions which you desire to bring up.

MR. BEAN: Was it brought out that we do not have funds to help the police but we have legislative authority to help the fire departments?

MR. MOORE: Is that specifically for the Seashore.

MR. JOSEPH: It is a broad general situation.

MR. NICKERSON: You have legislative authorization whereby you can do a specific job.

MR. JOSEPH: This is just the general rule of broad fiscal control for direct obligation for receipt of goods and services.

MR. HANCOCK: Truro is interested, and so is Provincetown, specifically and particularly in knowing anything in regard to the Highland Golf Course. I note from an economic standpoint that further betterment and improvement of that course would be for the benefit of both Truro and Provincetown. There has been more than one discussion on this subject previously and I would like to ask Mr. Joseph through you what is the present status of that situation.

MR. NICKERSON: I would like to make one point clear, which I neglected to do when we started this meeting, and that is that this Commission acts merely in an advisory capacity.

MR. JOSEPH: If I may I would like to quote from my regular monthly progress report which I prepared today for the Commission. Reads:

"One of the priority items on which we have been working is the golf course at Truro. The office has been in touch with the Concessions Management Division in Washington to expedite release of the prospectus."

We have not seen the final prospectus and have told them to go ahead and release it when it is available. It should be available in the near future hopefully, and will call for bids, and I think everyone knows, and it would be worthwhile repeating at this time that the town of Truro should it be interested in bidding, and I am

sure it is, their bid will be most welcome and will get equal consideration with any other bid received.

MR. NICKERSON: When does the present arrangement expire?

MR. JOSEPH: The present arrangement with Mr. Conklin and Mr. Duarte under the Conklin permit, expires December 31, 1967.

CHIEF MARSHALL: Back to the police again. Mr. Joseph have they ever subsidized police anywhere in the Federal government?

MR. JOSEPH: I don't know. I haven't heard it described in that particular fashion. You are getting into a field where I have no specific knowledge. I will say this though, we try to assist in the situation wherever we are, and fit into communities. Our ability to participate depends on a method which the Chairman of the Advisory Commission was seeking through various inquiries. Once we get settled on a method we have to find ways to make the method work. Our only method is to seek approval and appropriations and to justify and satisfy the appropriating authority in a way that is considered reasonable.

CHIEF MARSHALL: I asked because if there is any subsidizing I don't want to be left out - just for the record.

MR. JOSEPH: There is none per se; it would have to be appropriately presented and a reasonable method worked out with the towns themselves to get funds.

CHIEF MARSHALL: We discussed this several years back and the answer was the same then. I didn't come here with any idea that this was

being done, but I just want to be on record in case it ever does come true.

MRS. WILES: I think we have to be careful of Federal Government subsidies. We have lost control of our schools this way. If we consider subsidies we will lose control; whatever they subsidize they control. At our last meeting we voted or recommended that anything the Federal Government received money for like rents and things of that kind, that they should pay taxes because we are losing taxes on buildings that they are renting and if we could get a percentage it would take care of our police and in that way we would not be subsidized but we would have something we are entitled to. I realize it would take a big fight.

MR. NICKERSON: Your approach would be in lieu of taxes.

MRS. WILES: Anything that the government gets money on because when you realize their take out of our beaches last year was $55,000, they made that on our beaches last year, if we could get a percentage we wouldn't have to worry. I realize it would take a fight.

MR. MOORE: Did I understand that the Commission had recommended that?

MR. NICKERSON: I will read you the Motion which was voted affirmatively.

(Reads): "We urge reimbursement in lieu of taxes on property owned by the Park and rented back, thus producing income for the National Park Service."

MRS. WILES: That was the best we could do. We wanted more.

MR. LAW: Would you have any figure on the amount of taxes?

MR. NICKERSON: No, but I don't think it would be of any great amount.

MRS. WILES: No, but it would help.

MR. NICKERSON: Any place where the Government was deriving revenue from renting property, thus in competition with taxpayers owning similar property, we recommended payment in lieu of taxes.

MR. CARLETON: Like Harvard University and the Massachusetts Institute of Technology, they don't pay taxes but they reimburse the city for fire and police protection.

MR. LAW: At Wellfleet I should imagine this would be rather a small amount. I think we would be grateful, but I don't think it would solve our police problem.

MRS. WILES: Except if we could get money from the places that weren't included; but there is no reason why it couldn't be done in lieu of taxes with summer business and renting cottages from the government. Mr. Joseph's house is rented from the government, so is the Rowell house and I don't know how many more of them but there are lots of them. I think if you added them all up it would be quite a substantial sum. At least better than nothing.

CHIEF MARSHALL: May I ask regarding beach property how much they derive from income that may possibly be turned over for police protection? Would this apply to Provincetown or only to the town in which the beach is situated?

MR. NICKERSON: By Act of Congress all this money is allocated to the Land and Water Conservation Fund. A certain percentage comes back to Massachusetts and Massachusetts decides how it comes back to the

towns.

MR. JOSEPH: 60% of this money comes back to the states and 40% to Federal departments.

MR. BROWNELL: In Massachusetts we get approximately twenty million dollars a year from this fund.

MR. NICKERSON: Are there any other questions? If not, thank you all for coming. I don't know that we have reached any conclusions. May be what we have discussed will be helpful in reaching conclusions at a later date.

(The visitors leave the meeting at 4:05 p.m.)

MR. NICKERSON: Is there anything else you would like to talk about regarding this discussion?

MR. CARLETON: I think Truro has a special case about needing additional manpower in the summer. I think if any help can be given, either through the golf course operation or ...

MRS. WILES: I wonder what would happen if the Wellfleet police refused to come and help at the Job Corps. It is a nuisance. I think they have us over a barrel and they don't give a hoot.

MR. NICKERSON: I think it would be foolish for the police not to do what they are sworn to do.

MR. CHASE: It interested me, every town has separate problems. I think in all of this you ought to be able to figure how much time is involved in these various things.

MR. NICKERSON: We had a pretty good discussion and it gives us a better understanding of what the problems are. It cleared up that the arrangements with the Fire Departments are working reasonably well. They may not be happy down to the last penny of the arrangement. The policy with regard to water resources is working out well and seems to be satisfactory. In regard to the Police Departments everyone here was floundering, no real solution, but give us money, either in lieu of taxes or as subsidies. The Park has added twenty-five Rangers.

MR. CHASE: Many Cape towns have been getting by with very few police.

MR. CARLETON: The cost per policeman has gone up tremendously and they are now working a 40 hour week.

MR. NICKERSON: Is there any action to be taken?

MR. MCNEECE: Is it going to come up for discussion again? Did they make a request? Why were they here?

MR. CARLETON: They wanted some money in lieu of taxes.

MR. CHILD: I thought it was interesting in Provincetown that the Chairman of the Finance Committee and the Chief of Police had two entirely different viewpoints.

MR. DIEHL: Does the Commission want to go on record in favor of adding additional Park Rangers?

MR. CARLETON: Would this mean we would have a little more of that

protection in Truro than last year?

MR. BEAN: I think the first consideration would be Wellfleet because of the fact that a new beach will be here. There is a possibility that this may not be ready to staff; we might have two or three Rangers we could place somewhere else.

MR. NICKERSON: Do you want to make any recommendation involving State Police in this discussion?

MR. CHILD: I think we should ask for more State Police.

MR. DIEHL: They are needed all along in different places, not just here.

MR. NICKERSON: I think the State Police are aware, but they haven't any personnel.

MR. MCNEECE: You are going to need more and more police protection on Cape Cod, and I still think these towns have been hit pretty hard by the influx of people who haven't brought in enough additional income to offset the additional expenses.

MR. NICKERSON: Do you want to take any action this afternoon?

MR. CARLETON: I don't think any action should be taken in writing.

MR. NICKERSON: Leo (Diehl) will you please take over as Chairman for a few minutes? (4:18 p.m.)

MR. DIEHL: Shall we take a look at the balance of the Agenda? Lets postpone Item 6, Beach Buggy Operations until our next meeting, and take up Item 4. Progress Report - Cape Cod National Seashore.

MR. JOSEPH: Progress on the Visitor Center at Provincetown and the Amphitheatre at Provincetown continues to be good. The monthly progress report prepared as of the 25th of November shows both projects at 20% of the completion stage.

One of the priority items on which we have been working is the golf course at Truro. The office has been in touch with the Concessions Management Division in Washington to expedite release of the prospectus.

Negotiations were undertaken November 28 with Messrs. Colliano and Hastings with respect to amending their permit for operation of the Highland House for the years 1968 and 1969 so that the putting green, first tee, parking area and water system can be incorporated into the proposed golf course operation.

Transitional arrangements for handling land matters have continued as indicated in response to questions at the news conference following the last Advisory Commission meeting on November 17. The lands office is being closed down as a project office effective the latter part of December or early January. Every effort is being made however, to retain the services of Land Acquisition Officer Thompson and it seems likely that we will be successful which if so, will insure the continuation of the work that has been carried on since the inception of the Seashore by George Thompson in a way that has earned the confidence of land owners, towns and other organizations and

individuals. Assuming that arrangements are made for retaining his services at Cape Cod Mr. Thompson will continue to obtain assistance on land matters from the office of Land and Water Rights in Arlington, Virginia.

Condemnation matters in the hands of the U.S. Attorney at Boston have required attention by Mr. Thompson and Mr. Goodale of the Lands Unit. One of these is the recommended condemnation of the Beede property in the Provincetown area on which several structures are located, part of the Great Beach Cottage area. The circumstances regarding each of the Great Beach Cottage structures will be studied case by case as previously arranged and special attention will be given to the ten structures on the Beede property due to the imminence of the court action through condemnation.

At the request of the Provincetown Planning Board I met with the Board on November 28 together with Land Acquisition Officer Thompson and Chief Park Ranger Bean. A representative of the planning firm stated he had been working on a planning program for Provincetown for the past year and a half. He discussed and exhibited plans for the Provincetown area which in the opinion of the planning consultant and the planning board encompass proposals involving the Seashore. It is expected that a summarized statement of the over all proposal together with copies of the plans that have been prepared will be sent to us by the town planning board within the next couple of weeks.

..

As discussed with the Planning Board there are several matters of procedure, jurisdiction and review by appropriate boards including the Advisory Commission, and of course the Planning Division and other Units of the National Park Service.

The acquisition of the Whitehead property sandpit has permitted the lay-out of a proposed parking area in that portion of the sandpit area near U. S. Route #6 in lieu of using an area in the immediate vicinity of Snail Road. Under the terms of the purchase from Whitehead Brothers, the owner will be permitted to remove sand from the pit at the same rate as in previous years through December 31, 1975.

Planning for the proposed beach and access road in South Wellfleet has continued including an alternate route across town lands if arrangements can be completed for the exchange discussed at the last meeting on November 17.

Mr. Thompson will undertake negotiations with the town selectmen and prepare a response to the town based upon the correspondence to date of which you have copies and the advice received from the Commission on November 17, as rapidly as his schedule permits.

On November 29 a meeting of Eastham Selectmen and counsel and Nauset Regional School District members and counsel was held in the interest of ascertaining final remaining steps to be taken in order to complete by exchange of deeds the land exchange which was approved administratively. Counsel for the School District and Town and Mr. Thompson

conferred the evening of November 29 with respect to details of wording of the deed and title insurance policies issued by the title company covering the United States acquired lands to be transferred, all of which should lead to the consummation of the transaction, review by the Justice Department and signing of the deeds by Mr. Thompson within the next several days in accordance with my understanding of the schedule to be expedited.

A Regional Superintendents' Conference is to be held at the Delaware Water Gap National Recreational Area at East Stroudsburg, Pennsylvania on December 16, 17 and 18 at which I will be in attendance.

An evaluation of the Wellfleet Job Corps Conservation Center is scheduled by representatives of the Office of Economic Opportunity for the week of December 4 - 8.

John Czyoski, owner of the Gulf Gasoline Station in Truro called at the office on November 29 and advised that he has contacted certain Gulf Oil Company officials regarding clean-up and landscaping at the Station about which we had written him previously. He indicated that the Gulf Oil officials would call on us.

The evening of November 30 members of the Commission and Park Engineer Bowman and I attended the public hearings on navigational improvements at Pleasant Bay conducted by the US Corps of Engineers at Chatham.

We have received a rather comprehensive letter from Bob Gibbs which will be available to anyone who wishes to read it.

(Mr. Nickerson returned to the meeting during the presentation of Mr. Joseph's report.)

MR. JOSEPH: One further request; we have received a request from the Jobi Shop for extension of their permit to operate the Little Shop and Apartment House so that the expiration date will coincide with the expiration of the Jobi Shop permit which seems to be a logical arrangment.

MR. NICKERSON: How are these related to the golf course?

MR. JOSEPH: Everything in the area is relative and it is going to require a major study to make the ideal arrangements.

MR. NICKERSON: Does this involve anything strategic in the area?

MR. JOSEPH: No. I would say it would be an advantage to extend this to expire at the same time as the other permit.

It was moved by Mrs. Wiles, seconded by Mr. Carleton and VOTED to extend the Suspension of Condemnation of Commercial or Industrial Property Permit on the Little Shop and Apartment House in the name of Joseph A. Colliano and Willis C. Hastings to expire on Dec. 21, 1973.

MR. NICKERSON: Has there been any change in the disciplinary control at the Job Corps in the last few months?

MR. JOSEPH: We have utilized the service of volunteers throughout the Cape on a very informal basis, having in mind something less than

a regular classroom atmosphere and to accommodate the comings and goings of volunteers to the greatest possible extent. In August and September we set up a series of classroom activities as part of our educational program requiring more rigorous attention to attendance.

MR. NICKERSON: How about the work projects. Are they helping you?

MR. JOSEPH: They always help in some way. One of the latest projects has been fencing for traffic separation in connection with bicycle trails.

MRS. WILES: Did I understand you to say that they are now required to attend classes and they weren't before?

MR. JOSEPH: Yes, but not so regularly.

MR. CHILD: Has the new schedule made any difference in volunteers?

MR. JOSEPH: I can't answer directly, but I think a good job is being done through the help of volunteers. They have adjusted themselves to the new schedule. In the field of Corpsmen and community relations they have attempted to set their guidelines as informally as possible.

MR. DIEHL: Is it definite that they are going to keep a lands office here?

MR. JOSEPH: I can only say what I think. It would be very unfair to the land owners in the area if they didn't have a qualified person to talk with.

Item 7. Agenda Items and Date for Next Meeting

It was determined that the next meeting will be held on January 19.

Agenda items for the meeting will be developed by the Chairman and Superintendent.

No further business appearing the meeting adjourned at 4:45 p.m.